


MEMORANDUM
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COPY

TO: Bernalillo County Manager Thaddeus Lucero
FROM: Agnes Fuentevilla Padilla 
SUBJECT: Investigation Regarding the Treatment of Jamie Dantis
DATE: June 15, 2010

Summary of Investigation

I. DESCRIPTION OF ALLEGATION:

The media, citing various anonymous sources, has questioned whether or not Bernalillo County (the "County"), acting primarily through supervisors Dwight Dias ("Dias") and Cecilia Baca ("Baca"), treated employee Jamie Dantis ("Dantis") more favorably than other County employees because his father, John Dantis, is the Deputy County Manager for Public Safety.

II. THEME OF THE INVESTIGATION:

It is essential to the efficient and effective operation of government that it has the public's trust. In that vein, the County has adopted a Nepotism Policy that prohibits the practice of nepotism. [Nepotism Policy, § 403 ("NP") ¶ A] In the policy, Nepotism is defined as giving preferential treatment to near relatives in employment. [NP ¶ A]. The areas in which preferential treatment can be shown include hiring and discipline. [NP ¶ A] A near relative is, among other relationships, an employee's child by birth, which is the relationship between John Dantis and Dantis. [NP ¶ B]

In order to maintain the public's trust, it is important that government eliminate, to the extent possible, any situations that create the appearance of providing preferential or favorable treatment. To eliminate such situations, the policy prohibits near relatives from working in the same department when there is a supervisory relationship between them. [NP ¶ C] Moreover, the policy prohibits a near relative from working in the same department if the employee is in the near relative's chain of command. [NP ¶ C] In the event any problems arise from a violation of the policy, the County Manager should be notified so that the problem can be resolved. [NP ¶ C]

Failure to adhere to the Nepotism Policy may lead to a lack of trust in the County by the public and by employees of the County. The practice of nepotism, in violation of the policy, creates a situation where there is an appearance that a particular employee is given favorable treatment because of his or her relationship to someone in the chain of command.



III. WITNESSES:

The following witnesses were interviewed to develop facts for this report and they are listed in alphabetical order. In addition, the documents listed in Section VII of this report [VII: EXHIBITS AND EVIDENCE] were reviewed. Interviews with witnesses were not recorded so facts stated in this report were organized using notes taken during the interview. Much of the information obtained during the investigation was gathered from non-management level employees during the interview process; therefore, reference to such employees in the report has been kept generic (*e.g.* Employee A). The exception is when referencing something the employee put in writing, such as an email or incident report, which would contain the employee's name and was created prior to the investigation. Managerial level employees and former employees have generally been identified by name. Clients and former clients have been referred to generically (*e.g.* Client A) to protect the privacy of the client and exhibits with client or the employees' names have been redacted.

- Anonymous witness (Former employee of Turquoise Lodge)
- Beverly Apodaca (Substance Abuse Counselor)
- Cecilia Baca (Program Supervisor Detox and Supportive Aftercare Program)
- Carl Dallas Broach (DSAP Clinical Manager)
- Adan Carriaga (DSAP Administrator and DSAP Acting Director)
- Ann Casey (Special Projects Coordinator)
- Marie Chavez (Romero) (Substance Abuse Technician)
- Jamie Dantis (Substance Abuse Technician)
- John Dantis (Deputy County Manager Public Safety)
- Dwight Dias (Clinically Managed Detox Supportive Aftercare Community MATS Facility management Program Manager)
- Mike Espinosa (Community Case Manager)
- Patty Fortune (Bernalillo County resident who contacted us telephonically)
- Roy Gager (Substance Abuse Technician)
- Stephanie Garcia (Substance Abuse Technician)
- Sharon Gonzales (Substance Abuse Technician)
- Robert Hill (Substance Abuse Technician)
- Jeff Holland (former Substance Abuse Technician)
- Lisa Johnson (Administrative Officer and Timekeeper, MATS)
- Kristen Kennedy (Substance Abuse Counselor)
- Kevin Kinzie (former DSAP Administrator and current Special Projects Coordinator)
- Terry Loza (Substance Abuse Counselor)
- Fran Martinez-Romero (Budget Manager)

- Normand McKinnon (Substance Abuse Technician)
- David Montano (Substance Abuse Technician)
- Shawntel Paddock (Substance Abuse Technician)
- Andrew Sidoli (former Substance Abuse Technician)
- Renetta Torres (Bernalillo County Human Resources Director)
- George White (Substance Abuse Technician)

IV. INVESTIGATIVE FINDINGS:

A. Description of Incident:

The County hired Dantis to work at the MATS facility, which falls within the Department of Public Safety and is under the supervision of Deputy County Manager John Dantis, his father.

i. *Overview:*

The County has a Nepotism Policy which is explained in detail in Section II of this report. [II. THEME OF THE INVESTIGATION] Though there were five levels of supervision between John Dantis and his son, the potential influence of John Dantis on his son's employment was present from the moment Dantis was hired.

ii. *Relevant County Policy:*

The Nepotism Policy described in Section II of this report is the relevant policy for this section of the report. [II. THEME OF THE INVESTIGATION]

iii. *Findings during the Investigation:*

Dantis was hired by the County and placed in the chain of command of his father, John Dantis. John Dantis is the Deputy County Manager of Public Safety and was the Acting Director of the Department of Substance Abuse Programs ("DSAP"). DSAP falls within the Department of Public Safety. Dantis reported to the Program Supervisor of the Detox and Supportive Aftercare Program, Baca. She, in turn, reports to the Clinically Managed Detox Supportive Aftercare Community MATS Facility management Program Manager, Dias. Dias reports to the DSAP Administrator, Adan Carriaga ("Carriaga"), who reports to John Dantis. The DSAP Clinical Manager, Carl Dallas Broach ("Broach"), may also be involved, albeit indirectly, with the MATS facility with respect to clinical issues. He also reports to Carriaga.

Dantis applied for the position of Substance Abuse Technician. [Exhibit 21] The minimum qualifications for the position are as follows:

- 1) An associate's degree in sociology, psychology, criminology or related field and four (4) years experience working in a clerical/administrative capacity, with at least two (2) of those years working in a health care setting; or

- 2) Any combination of post secondary education and/or experience totaling six (6) years working in a clerical/administrative capacity, with at least two (2) of those years working in a health care setting; plus
- 3) Licensure as an Alcohol and Substance Abuse Associate (LSAA) and experience as a Certified Nursing Assistant (CNA) or Emergency Medical Technician (EMT) is preferred.

[REDACTED] He holds no licensure and is not a CNA or EMT. Dantis was employed as a Recreation Aid with County Parks and Recreation for one month in 1996. He was a Detention Officer with the Sandoval County Detention Center from March 1999 through January 2002 (*2 years, 10 months*). He was a resort attendant in Las Vegas, Nevada from February 2002 through April 2005. He was employed with Canteen Corrections, a detention commissary distributor, in August 2006 and from August 2001 through November 2001 (*4 months*). Additionally, in the six months prior to his application with the County, Dantis was a volunteer with Narcotics Anonymous.

Dantis' application and unofficial TVI transcript reveal he earned 21 credit hours through TVI, with three of those hours from an Introduction to Psychology class. Dantis also disclosed in his application that he had never been convicted of a felony and that his driver's license had been revoked or suspended administratively, although he had a valid driver's license at the time of his application. Dantis revealed in his application that his father worked for the County and he provided his father's name, as required.

The HR Department approved Dantis for participation in the interview process with the Department of Public Safety. The HR clerk who screened Dantis' application for qualifications is no longer employed by the County. Normally, the clerk prepares a spreadsheet reflecting the information gathered in the screening process and a document with that information is retained by the County for 3 years. Since Dantis was hired over three years ago, in 2006, that document no longer exists.

The HR Director recently reviewed Dantis' application using current staff and found that, although Dantis was not abundantly qualified, he would have passed the HR screening process. We were advised that HR errs on the side of qualifying applicants and allowing individual departments to decide if an applicant's experience is sufficient. After Dantis submitted supplemental information regarding his experience, HR determined that he met the bare minimum of the qualifications listed. HR left it up to the department to further assess, through an interview, whether Dantis should be hired.

Dantis was then interviewed by Dias and former Administrator Kevin Kinzie ("Kinzie") for a position as a Substance Abuse Technician. Normally, we understand that three people interview a candidate during the hiring process. However, in this case, the records show that only Kinzie and Dias interviewed Dantis. Notes from his interview reveal that Dantis did not have any professional or clinical licenses, though he was in school. The notes also reflect that Dantis had studied pharmacology; however, no records in the County's possession support this claim. Dias recommended Dantis for hire but the other interviewer,

Kevin Kinzie ("Kinzie"), did not make a recommendation on his interview notes. Dantis was hired on September 11, 2006.

Our investigation revealed direct involvement by John Dantis in his son's hiring. Although Dias denies he was instructed by John Dantis to treat Dantis favorably during the hiring process, Kinzie recalls that he and Dias expressed concern to John Dantis about the suitability of his son for the position. The main concern was that Dantis had only been in recovery for substance abuse for three to four months before his interview, as he has been a patient at Turquoise Lodge. Kinzie stated that Dias was especially concerned, since he had been in both the field and in recovery himself. Dias believed that employees should have several years of "clean time" before working in a substance abuse program. According to Kinzie, both he and Dias felt that Dantis was not ready to work in a place surrounded by people actively using substances and bringing in prescribed medications. Dantis' job would include securing medication for clients. Kinzie also stated that both he and Dias had concerns about a lack of experience, qualifications, and stability in Dantis' work history. Though Dias claims that that he was not given any instruction by John Dantis with respect to Dantis, another witness confirms that Dias confided in him that he (Dias) felt pressure from John Dantis to hire Dantis despite his concerns with Dantis' short-term sobriety and lack of qualifications.

According to Kinzie, he and Dias met with John Dantis to discuss their concern that Dantis was not a good hire and that the work environment would not be good for his son. Kinzie stated that John Dantis was adamant in his view that an environment where recovery was the goal would benefit Dantis. John Dantis did not express to Kinzie any concern regarding the impact of the hire on the County. When they left the meeting, it was clear to Kinzie that John Dantis wanted and expected Dantis to be hired. Kinzie did not sign the recommendation paperwork used by the County or recommend Dantis for hire because he was uncomfortable with John Dantis' decision. The records show that Dias did sign the recommendation paperwork.

Several managers interviewed indicated that John Dantis specifically told them to treat Dantis just like every other employee. [REDACTED]

[REDACTED] Many witnesses interviewed claimed that Dantis, once hired, would often remind them who his father is and he would sometimes threaten them by inquiring "do you value your job" or "do you know who my father is?" Those witnesses felt that Dantis used his father's position to his advantage.

John Dantis denies that he had any involvement in his son's hiring. Although he is aware of the Nepotism Policy, he does not believe it applies to this situation due to the fact that Dantis is at the bottom of the organizational chart and there are four supervisors between him and his son. John Dantis claims that he does not supervise his son. He also believes that since he was only the "Interim Director" for DSAP and not there full time, his son's employment in that department was not an issue. He states that there are closer working relationships than he and his son within County. John Dantis did not discuss his son's hiring with County Legal or the County Manager but states that they were all aware that his son was employed there. He claims that he expected Dantis to be treated equal to other

employees and he expected his son to deal directly with his supervisors with regard to work related issues.

According to John Dantis, he did not have much contact with Baca. Baca was to deal with issues related to his son's employment if they arose. [REDACTED]

John Dantis knew of his son's legal issues, i.e., his arrests for shoplifting and the credit card fraud charge in Florida. As a manager, he stated that he would want to know about an employee's arrest, though we did not come across a County policy that would compel an employee to tell the County about every arrest. According to John Dantis, the County will not take action against an employee because of an arrest; however, it may evaluate employment once the criminal matter is resolved. John Dantis denies that he instructed his son to disclose information regarding his legal issues only to certain managers; however, one email from John Dantis to his son suggests otherwise. [Exhibit 17] John Dantis believes his son shared information regarding his legal issues with supervisors with whom he felt comfortable. As such, he did not feel it was necessary for him to report the issues to Dantis' supervisors.

iv. *Overall Analysis of How Incident Was Handled:*

[REDACTED]
The fact that Dantis was employed within the chain of command of his father was in violation of the policy on its face. Moreover, according to Kinzie, John Dantis encouraged him and Dias to hire Dantis despite their concerns. If true, this instruction may have set the tone for the remainder of Dantis' employment. As shown in this report, there were a number of times Dantis received favorable treatment, often from Dias. While there is no evidence that Dantis received the favorable treatment because of any specific instruction from his father, the relationship creates the appearance that the treatment was a result of nepotism.

Though there is no evidence of specific instruction from John Dantis with respect to treatment of his son, his alleged directive that Dantis be hired despite the concerns of Kinzie and Dias potentially conveys that John Dantis expected Dantis to be treated differently. [REDACTED]

[REDACTED] Based on Kinzie's statement, John Dantis may have placed the needs of his son over those of the County when it came to Dantis' hiring. [REDACTED]

The County does not have a policy regarding how long a candidate should be sober before being hired to work in a substance abuse program. In interviews, the general

consensus was that a candidate should be sober for at least a year before being placed in an environment with other users. [REDACTED]

B. Description of Incident:

Three County employees observed Dantis with a pellet gun on County property.

i. Overview:

Dantis was in possession of a pellet gun on County property. One employee, as requested by Baca, documented her observation of the incident in writing to both Baca and Dias. Two other employees state that they verbally advised both Baca and Dias of the incident. While both Baca and Dias claim that they asked Dantis about the incident, neither of them did a thorough investigation or reported the incident to HR. Even Dantis denies that he was ever spoken to about the incident. [REDACTED]

ii. Relevant County Policy:

The County has a "zero-tolerance" policy against acts of workplace violence. [County of Bernalillo Workplace Violence Policy ("WVP") § 1] Every employee who commits an act of workplace violence is subject to discipline, including termination of employment. [WVP §§ 1, 8] An act of workplace violence includes, among other things, brandishing a weapon. [WVP § 2] A weapon includes, but is not limited to, any firearm or any device principally designed to cause bodily injury. [WVP § 4] The policy specifically prohibits, among other activity, the following: a) possessing, brandishing, or using a weapon while on County premises; b) possession of a weapon by an employee while on County property or at a County function; and c) possession of a weapon on county property that adversely affects the employee's safety or indicates a propensity for same. [WVP § 4] The County has the right to inspect any County property for weapons. [WVP § 4] The County may also, with probable cause or permission from the employee, inspect personal property of an employee, including the employee's vehicle. [WVP § 5] Though the policy is silent with respect to what action a supervisor should take if made aware of a potential act of workplace violence, the Human Resources Department ("HR") must immediately investigate any reported act of workplace violence. [WVP § 8] Any employee who violates the policy is subject to corrective action or discipline, including termination of employment. [WVP §§ 1, 8] Dantis acknowledged receipt of the Employment Relations Rules and Regulations for Bernalillo County, on September 11, 2006.

The County Department of Substance Abuse Programs specifically adopted the WVP on May 28, 2009. [MATS 2009 Policies & Procedures ("MATS Policy") 227] MATS defines the workplace as any location where an employee performs work-related functions. [MATS Policy 227] Possessing or brandishing a weapon not required by the individual's

employment while on county premises or engaged in county business is against the policy. [MATS Policy 227] Employees who violate the policy are subject to discipline, including termination of employment. [MATS Policy 227] In an effort to enforce the policy, MATS is to implement a procedure to train supervisors and managers to recognize, address, and respond to acts of workplace violence. [MATS Policy 227] Dantis received a copy of the MATS Policy on September 23, 2009, approximately one week before he brought the pellet gun onto County property. [MATS Policy Acknowledgment Page]

Supervisors are required to take responsible, corrective action when an unsafe condition is found. [Risk Management Loss Control Policy ("LC Policy") § 1.104(M)] An employee may not have unauthorized firearms or other lethal weapons on County premises. [LC Policy § 1.105(P)] Compliance with the LC Policy is mandatory and failure to comply may result in discipline, including termination. [LC Policy § 1.100(B)]

iii. Findings during the Investigation:

Employee A advised Baca that Dantis possessed a pellet gun in the Central Intake Unit ("CIU") at the MATS facility on October 1, 2009. During our interview, Employee A stated that the gun looked like a real handgun and that Dantis classified the gun as a pellet gun. Employee B also verbally advised Baca that Dantis had a weapon at work. In response, Baca advised Dias of the incident by email. [Exhibit 1] Dias responded by requesting that Baca have everyone put their observations in writing. [Exhibit 1]

On October 2, 2009, Baca asked Employee A to prepare an email summarizing what she saw and what she was told by Dantis. [Exhibit 2] Baca stated that she needed the email "ASAP". [Exhibit 2] Employee A prepared the email as requested. [Exhibit 2] Baca forwarded the email to Dias on October 23, 2009, with no accompanying message. [Exhibit 2]

Also on October 1, 2009, Employee C emailed Baca regarding Dantis' behavior. [Exhibit 3] Baca also forwarded this email to Dias on October 23, 2009. [Exhibit 3]

Baca emailed Dantis on October 23, 2009, with a copy to Dias and Broach, to advise him that he was being reassigned and to answer phones in the CIU only. [Exhibit 4] Dantis responded a few minutes later by asking "What?" [Exhibit 4]

[Exhibit 4] On November 3, 2009 Baca called MATS and reminded Dantis to not do any direct client care until further notice. Baca and Broach had an email discussion about this and agreed to "sidebar" John Dantis about this issue. [Exhibit 24]

The individuals involved in the pellet gun incident were all interviewed as part of this investigation. Employee A indicated that Dantis' behavior was erratic on October 1, 2009. He seemed disoriented and exhibited circular thinking which was not his normal behavior. In addition to possessing the pellet gun, he offered to sell Employee A Crest White Strips and offered to sell watches to a County Community Case Manager. Dantis actively showed

the pellet gun to Employee A, who stated that the pellet gun looked very real. When she asked Dantis to put it away, he stopped what he was doing and left.

In addition to personally telling Baca about the incident, Employee A also told Dias. Employee A was concerned that she had not written an incident report and wanted to make sure Dias knew of the incident. When she told him, Dias did not seem to be aware and she perceived it was the first time he had heard of it. Dias' reaction was shock and disappointment. He advised Employee A that he would address the incident, and she had no further conversations with Dias. She indicated that Baca wanted her to put it in writing because completing an incident report or telling Dias verbally would not resolve the situation. Baca presented this information in frustration and told Employee A that she would resolve the issue per the policy.

When interviewed, Employee B stated that at the beginning of his shift last year he walked into the office and noticed a gun on the table where Dantis was sitting. Dantis then began "waiving the gun around" with Employee A present. Dantis called it a pellet gun but it looked real to Employee B. At the time Dantis seemed disoriented. He claimed he shot himself with the gun the night before to "see how it would feel." Dantis offered to show his wound to Employee B, who declined. Dantis seemed very proud of the fact he had shot himself to see how it would feel. Employee B believes the shot was to his torso because he began to lift his shirt to show the wound, which Employee B felt was inappropriate behavior. Dantis did not seem to exhibit his normal awareness on that date. Employee B left the room because he was uncomfortable with the fact there was a gun.

This incident occurred at Dantis' office at CIU, which is the office closest to the reception desk where the public enters. Baca had assigned Dantis permanently to CIU and he had taken over the office and personalized it. He kept personal items in the office. Upon leaving, Employee B went directly to Baca and told her "Jamie's high again and has a pellet gun in the office." Baca indicated that she would go check on Dantis. According to Employee B, Baca told Dantis to put the gun away and Employee B understood that Dantis took it to his car. Employee B also understands that Dantis ran into Employee C in the parking lot and showed him the gun and his wound.

In Employee B's opinion, Dantis was not coherent or exhibiting normal behavior. He was told by Employee C that the gun looked real. Employee B did not put anything in writing; however, he was told by Employee A that she sent an email to Dias and Baca. In passing, Employee B verbally told Dias that Dantis had a gun in the office.

During his interview, Employee C revealed that he emailed Baca regarding the gun incident; however, no specific email has been located. Employee C felt that Dantis was setting himself up to get fired. He understood that Baca went to Dias with the incident but she expressed frustration that she could only do her part and not go any further. Employee C ran into Dantis in the parking lot while Dantis was smoking while on shift. Dantis showed Employee C the gun and told him he had made a hole in his chest with the gun. Employee C was told by Employee B that Dantis had taken the gun inside, pointed it at Employee A, and that he had reported this orally to Baca who indicated she would handle it.

Baca was interviewed with regard to the pellet gun incident. She indicated that staff members said they saw Dantis with a gun. She told them to write an incident report or put it in writing. Baca then asked Dantis if he had a weapon, which he denied. She looked around the desk, looked in the office and told him to stand up but was never able to verify that he had a gun. Baca told Dias what was reported to her and he handled it from there. According to Baca, Dias also wasn't able to verify the allegations. If she had been able to confirm the incident, she would have taken immediate action and sent Dantis to EAP. Employees expressed concern to Baca that if Dantis shot himself with a pellet gun or had a sword injury on his chest that he might be trying to kill himself. It was never clear to Baca whether the "wound" on the chest was from the gun or a sword or something else. She did not find anything and could not prove anything. She did nothing further regarding the incident.

Dias was interviewed regarding this incident. He stated that the "weapon" was really just a toy which he described as a "key chain"/"cigarette lighter"/"plastic-type gadget." He asked Dantis about it and was told it was a little toy. Dias, however, never saw it or asked to see it. He claims he could do nothing else because there was "nothing solid there." Employee B told him something about Dantis having a gun but also told him it was a toy. He said he just had a "little thing" that was really a toy. Dias stated that Baca may have also told him about the gun. Dias does not recall if he spoke to Employee A about the gun. No one ever said Dantis had a "gun" though some described it as a pellet gun. However, Dias claims he was led to believe it was a toy right from the beginning. He also heard about Dantis shooting himself but did not confirm one way or the other whether Dantis injured himself with the pellet gun.

Dantis denies having brought a pellet gun into the facility but admits he had one in his car because he had paint ball equipment in the car and was going to go paint ball and shoot after work. According to Dantis, the gun was "non-lethal" and "spring activated." He agreed that bringing a pellet gun into work would be inappropriate and would violate County policy but claims he kept the gun in his car. Dantis claims that neither Baca nor Dias discussed the pellet gun with him. Dantis admits he showed the pellet gun to Employee C in the parking lot. He recalls that Employee C saw the gun in his car and asked to see it. Dantis never shot himself with the gun and claims it is not powerful enough. The gun does, however, look like a hand gun. Dantis claims he was off work and leaving as Employee C was coming in to work when he showed the gun to Employee C.

Broach, John Dantis, and Carriaga were not aware of the incident with the pellet gun until this investigation. They all agree that it would be inappropriate for an employee to bring a pellet gun to work and that it would likely be a violation of county policy. Both Broach and Carriaga stated that they would want to be made aware of such an incident. Broach and Carriaga agree that the proper supervisor response to the concerns of the employees should have been to investigate, document, and consult with others as to the appropriate response.

iv. *Overall Analysis of How Incident Was Handled:*

[REDACTED] He brought a pellet gun, which would be considered a weapon, onto County property and into the MATS facility. Dantis showed the pellet gun to at least three employees. Pursuant to County policy, the incident should have been investigated by the supervisor or director. Dias and Baca did not follow policy because their investigation was, at most, an interview of Dantis, the taking of employee statements, and a cursory inspection of Dantis' work area. The WVP gave them the right to search County property and, based on the probable cause presented by the employee accounts, likely Dantis' personal property. Their supervisors stated that Dias and Baca should have consulted with the HR Department or further up the chain of command regarding the investigation and potential discipline. [REDACTED]

[REDACTED] Baca reported the incident up the chain of command to Dias; however, no action was taken against Dantis for violation of the WVP. Shortly after this incident Baca made attempts to prevent Dantis from performing any direct client care, driving, taking custody of medications, or becoming involved with MATS/SAC duties. [Exhibit 4] [REDACTED]

C. **Description of Incident:**

A client reported to a County employee that he observed Dantis going through an abandoned or misplaced backpack.

i. *Overview:*

A client of MATS reported to former MATS employee Andrew Sidoli ("Sidoli") that she saw Dantis searching through a wallet found in a misplaced backpack. Baca and Dias claim it is consistent with County policy for an employee to look through a misplaced article in an effort to identify the owner. However, other County employees believe that Dantis should have asked around to see if anyone recognized the backpack or, if going through the backpack became necessary, that he should have done so in the presence of another employee. No items were reported missing and, since County policy is not clear on proper procedure, it does not appear that Dantis did anything incorrectly. It would be a good practice; however, for the County to clarify its procedure with respect to identification of the owner of a misplaced article by requiring two employees to observe any search through the personal belongings of a client.

ii. *Relevant County Policy:*

MATS staff, when admitting a client, are to log all client valuables (as defined by the client) into the client's file and lock and secure the valuables. [MATS 2006 Policies & Procedures ("2006 MATS Policy") p. 12] Money is a client valuable. [2006 MATS Policy p. 38] MATS staff should lock and secure the client valuables in a storage area or locker.

[2006 MATS Policy p. 38] If the client is unable to observe the accounting of their valuables, two MATS staff should conduct the inventory. [2006 MATS Policy p. 38]

iii. Findings during the Investigation:

Our investigation revealed that on December 17, 2009, at 10:00 a.m., a client of MATS reported to Sidoli that he saw Dantis going through a wallet contained in another client's backpack while in the SAC (Supportive Aftercare Unit). Dantis admits that he observed a backpack in the SAC, which had been there for "several days," that no one had addressed. He states that he asked several people whose backpack it was without any success in identifying the owner. He claims he then looked in the backpack and found it belonged to a client who was no longer at the MATS facility and whom Dantis identified as "Damien." Dantis admits that he was not assigned to work in the SAC but recalls that someone asked him for assistance in the area and he responded. It is unclear how Dantis knew the backpack had been there for "several days" when he only noticed the backpack while responding to a request for assistance. SAC employees also say it is unlikely that a backpack would have been left sitting for "several days." Dantis claims that when he found the backpack, there were no staff members around and he believed it proper to look through the backpack to determine its owner.

Sidoli made Dias aware of this incident through email and through the filing of an Incident Report. [Exhibit 25] Dias noted on the report that "Jamie followed protocol regarding unattended bags and items left." According to Dias, nobody reported anything missing and Dantis followed policy. There was not, however, a written policy with respect to this situation at the time. Now, Dias prefers that two staff members look through an article to identify the owner for the protection of the employee. Dias believes that Sidoli overreacted to the situation and states that he spoke to Dantis and the client who owned the backpack about the incident.

One witness alleges that Dias tampered with the report after the incident came to light in the media. Another witness does not recall Dias' notation being on the report when it was originally placed into Dantis' department file. Moreover, the Incident Report is dated December 17, 2009 while Dias' note is dated "December 17, 2010."

[REDACTED] No other incidents concerning Dantis were included in his file.

iv. Overall Analysis of How Incident Was Handled:

No employee personally witnessed this incident. However, the consensus among the employees is that they should not go through unattended property of clients without a second employee being present.

[REDACTED]

Since nothing was reported missing from the backpack, no further action was likely necessary.

[REDACTED]

D. Description of Incident:

Client medication was reported as missing during a time frame when Dantis had access to the MATS medication locker.

i. Overview:

Various County employees claim that medication from the medicine locker would go missing and they believe that Dantis was involved. Dantis' access to the medication locker was eventually revoked by Baca. Simultaneously or shortly thereafter, the practice of handling medication at MATS changed. These changes include keys being assigned to one holder per shift, a camera being installed in the locker area, and other changes with respect to counting and verification. After the changes, missing medication was no longer an issue.

[REDACTED]

ii. Relevant County Policy:

MATS intake staff shall record all medications on the Property Inventory Log. [2006 MATS Policy p. 60] MATS intake staff must count all narcotics, mood-altering and potentially hazardous medication before recording the medication on the Property Inventory Log. [2006 MATS Policy p. 61] All medications should then be stored in the locked medication locker. [2006 MATS Policy p. 61] Only the Facilities Program Manager, the Clinical Services Program Manager, and a designated staff person for each shift shall have access to the locked medication locker. [2006 MATS Policy p. 61] Moreover, only staff members who have completed a required class on self-administration of medications are permitted to handle medications or supervise a client's self-administration. [2006 MATS Policy p. 60]

iii. Findings during the Investigation:

The employees interviewed had a lot of suspicions about Dantis' involvement in missing medications. No employee, however, could establish that Dantis actually took medication from the locker.

On June 19, 2008, Dantis completed an Incident Report in which he states that he was distributing Chlordiazepoxide (25 mg)¹ to a client and her pills were missing. Dantis reported them missing to Baca. He also notified the client that her medication could have been misplaced.

On September 20, 2009, an Incident Report was completed which states that the graveyard staff left the facility without handing the medication keys to any staff on the next shift. Instead, the keys were left unattended on the black medication table next to the medication book. The employee who completed the report found the keys unattended and discovered there was no medication sheet in the book. She listed Dantis as involved with this incident report; however, his name does not appear in the narrative and he did not sign the incident report. During our interview, the employee had no knowledge with respect to Dantis' involvement and stated that she listed him merely because he was on shift at the time.

On October 14, 2009, an Incident Report was prepared regarding a missing key. Staff, including Dantis, responded that they had not seen the key and no conclusions were drawn from this incident.

An Incident Report dated March 30, 2010 states that a client requesting discharge reported that medication she brought with her at intake were not in her prescribed bottles. Dantis had completed her intake. However, there were no non-administered medications in the cabinet. No conclusions were drawn in the report about Dantis' involvement other than he completed the client's intake.

Witnesses described other incidents where medication went missing. Though they implied that Dantis was usually involved in handling missing medication, no one was able to provide any proof that Dantis took medication. No incident report reviewed during the investigation implied that Dantis was responsible for missing medication.

iv. Overall Analysis of How Incident Was Handled:

[REDACTED] What it did reveal is that, at some point, Dantis was assigned to CIU and no longer responsible for dispensing medication. The employees believe that Dantis was prevented from dispensing medication because of the questionable incidents described in this report as well as other incidents involving missing medication. Baca, however, states that the only reason Dantis was exclusively assigned to CIU was because of his intake and charting skills. Of course, this is contradicted by her emails that establish Dantis was reassigned to CIU because of her concerns regarding his "mental health" and work performance. [Exhibit 4] Nonetheless, there is no proof that Dantis was responsible for any missing medication.

¹ Chlordiazepoxide is used to treat anxiety and acute alcohol withdrawal. It is also used to relieve fear and anxiety before surgery. <http://www.medicinenet.com/chlordiazepoxide-oral/article.htm>

[REDACTED] The fact that there were no non-administered medications in the locker does not eliminate the possibility that Dantis took them during his intake of the client.

E. Description of Incident:

Dantis used annual, sick and donated leave from John Dantis to attend substance abuse rehabilitation in California and, while on leave, was charged with credit card fraud in Florida.

i. Overview:

Dantis used donated leave from his father, John Dantis, to attend rehabilitation in California. Though John Dantis submitted the leave through the HR Department, neither he nor Dantis filled out the paperwork required by County policy. As such, there is no document outlining how the County determined that the donated time was being used for a "critical circumstance" as required under County policy. It also appears that Dantis misused the donated leave by making a trip to Florida following rehabilitation, where he was charged with credit card fraud. Neither Baca nor Dias made much effort to determine why Dantis was on leave and Dantis was not required to provide a "ready for work" certificate when he was done with rehabilitation.

ii. Relevant County Policy:

An employee must fill out a "Request for Leave of Absence Form" before taking personal or vacation time. [2006 MATS Policy p. 75] Approval of the Clinical Services Program Manager is required before leave can be taken. [2006 MATS Policy p. 75] Twenty-four hours notice is required if the employee is requesting more than eight hours of vacation or personal leave. [2006 MATS Policy p. 75] An employee must fill out a "Request for Leave Form" for review and approval by a direct supervisor before taking sick leave. [2006 MATS Policy p. 75]

Employees can use sick, annual or unpaid leave for rehabilitation. [MATS 2009 Policies & Procedures ("MATS Policy") Policy 228] Each employee is encouraged to seek assistance before drug or alcohol use leads to a violation of MATS Policy. [MATS Policy 228]

An employee who believes he or she has a problem with substance abuse or alcohol misuse may voluntarily report to the Human Resources Department or Employee Assistance Program. [CSAP p. 20] An employee who reports shall elect to participate in the County approved treatment plan, resign from employment, or be subject to dismissal. [CSAP p. 20] An employee is only permitted to self-report once. [CSAP p. 20] The County is responsible for the cost of the initial evaluation. [CSAP p. 20] An employee who self-reports shall be granted leave as determined necessary by a Substance Abuse Professional with the Employee

Assistance Program. [CSAP p. 20] The employee may be granted annual leave, sick leave, or leave without pay. [CSAP p. 20]

Authorized leave must be approved by the Department Director or Deputy County Manager. [Employment Relations Rules & Regulation for Bernalillo County ("ERR") at § 1001(B)] Authorized leave is an authorized absence using paid leave or leave without pay. [ERR § 1001(A)] A completed "Request for Leave" form *must* be submitted to the Human Resources Department before authorized leave may be taken. [ERR § 1001(C)] The form shall be submitted three days prior to the proposed leave. [ERR § 1004] An employee who fails to obtain authorization before taking leave is considered to be on unauthorized leave. [ERR § 1002(A)]

Sick leave is authorized when the employee is unable to perform normal job functions due to a medical condition. [ERR § 1007] A medical condition includes therapy, counseling, or treatment. [ERR § 1007] When an employee is absent three or more consecutive days, he or she needs an original note from the health care provider. [ERR § 1008(A)] A Request for Leave form is required for sick leave. [ERR § 1009(C)]

An employee may, at the discretion of the County, donate annual leave to another employee. [ERR § 1005(A)] Before doing so, the Human Resources Department must determine whether the receiving employee is in need of sick leave hours due to "critical circumstances." [ERR § 1005(A)(1)] A Conversion of Leave form must also be submitted to the Human Resources Department. [ERR § 1005(A)(3)] An employee using contributed hours but not eligible for FMLA shall give up the right to his or her current position once he or she starts using contributed leave. [ERR § 1005(C)] However, the employee is assured a position for which he or she qualifies when such a position becomes available. [ERR § 1005(C)] An employee using contributed hours is not eligible to accrue sick and annual leave. [ERR § 1005(C)]

The County Manager may grant a classified employee leave without pay for up to one year. [ERR § 10017(A)] Medical disability is a reason for the County Manager to grant such leave. [ERR § 1017] An employee on authorized leave without pay shall return to their same position if he or she returns within six months. [ERR § 1017(A)] However, the employee must use all available sick and holiday leave before being granted leave without pay. [ERR § 1017(B)] Leave without pay taken for medical reasons must include a physician's certificate when the request is made and again when the employee is ready to return to work. [ERR § 1017(F)]

The County provides employees with up to twelve weeks of unpaid leave for qualified reasons pursuant to FMLA. [Bernalillo County Family Medical Leave Act Policy ("FMLA Policy") at p. 1] Employees are entitled to take up to twelve months of leave for a serious health condition. [FMLA Policy at p. 2] A serious health condition includes in-patient treatment or incapacity requiring an absence of more than three consecutive days. [FMLA Policy at p. 2] Employees must request FMLA leave through their supervisor and the Human Resources Department. [FMLA Policy at p. 4] However, the employee must use all sick and annual leave before requesting FMLA leave. [FMLA Policy at p. 5] Thirty days

notice must be given when the leave is foreseeable. [FMLA Policy at p. 4] A medical certification from a health care provider is required for FMLA leave. [FMLA Policy at p. 5] The County may designate leave as FMLA leave when it becomes aware of a situation that qualifies for FMLA even if the employee has failed to request FMLA leave. [FMLA Policy at p. 4] A fitness-for-duty report is required for employees returning from FMLA leave. [FMLA Policy at p. 62]

iii. Findings during the Investigation:

Dantis used leave on two separate occasions to attend rehabilitation. [REDACTED]

[REDACTED] Dantis' time sheets reveal that he took leave for five days in April 2008 and five days in February 2009.

[REDACTED]

The records reveal that Dantis was on leave from the County from April 6, 2009 through June 23, 2009. He used approximately 178 hours of annual leave, 125 hours of sick leave, and 153 hours of donated leave from John Dantis. John Dantis went directly to the HR Director to request donated leave for Dantis. There is no documented evidence that the HR Department determined that the donated leave was needed for critical circumstances. The request for leave and the granting of the leave was verbal. Dias stated during his interview that he thought Dantis had used FMLA leave, though there is no evidence that FMLA leave was ever requested.

County policy requires the HR Department to determine whether an employee to whom leave is being donated is in need of sick leave hours due to critical circumstances. According to HR, John Dantis represented to the HR Director when donating the leave that [REDACTED] and desperately needed time off. John Dantis' request to donate leave was approved based on this representation though there are no records to support his claim in the file. Records from the HR Department indicate that John Dantis signed the donation request form on May 26, 2009 and the timekeeper signed the form on May 27, 2009. It was approved by the HR Department on June 8, 2009 and Finance on June 11, 2009. The form indicates that John Dantis donated 80 hours of leave at a pay rate of \$54.64, which amounts to 276.12 hours of leave for Dantis at his rate of pay.

An employee using donated leave, but not eligible for FMLA leave, must give up his or her current position. Dantis was permitted to return to his position with the County upon

his return from rehabilitation in California. Moreover, Dantis never provided a note from the rehabilitation center for an absence greater than three days and he did not submit a "Request for Leave" form as required by County policy.

Generally, a request for donated leave comes directly from the employee or the Department Director via a written request to the HR Department. In most situations, the employee has already prepared a FMLA request for benefits with the appropriate physical certificates attached. The HR Department reviews those documents to determine if the requested leave satisfies the "critical circumstances" threshold. In this case, the request to donate leave came from John Dantis. The HR Department did not learn the specifics of Dantis' condition [REDACTED]. It also did not receive any written documentation of Dantis' condition.

Dantis did not provide the County with any documentation regarding an illness or [REDACTED]. He also continued to use the donated leave even after his return [REDACTED]. On August 14, 2009, Lisa Johnson, the timekeeper at MATS, advised Dias that Dantis was using leave, allegedly with the consent of Dias. [Exhibit 5] Dias responded by stating that he thought Dantis was notifying administration when he used leave. [Exhibit 5] However, Dias never did follow up with Dantis regarding this issue. In November 2009, Dantis used 40 hours of donated leave and in December 2009, he used 34.5 hours of donated leave.

There are no records in Dantis' file that support his need to use more than three consecutive days of sick leave. While Baca and Dias indicated that they knew Dantis was using leave [REDACTED] they never requested documentation. Dantis was also permitted to use the donated leave for time off in November 2009 and December 2009 without question. An email dated December 14, 2009 from Dias to Lisa Johnson indicates that Dantis was authorized to use donated leave for time off in November 2009. [Exhibit 6]

While using donated leave [REDACTED] Dantis was charged with credit card fraud and petit theft in Florida. Dantis claims that, after the program was complete, he went to visit a friend in Florida. According to Dantis, he was charged for accidentally picking up a credit card that belonged to another patron of an Applebee's restaurant. He claims the credit card looked identical to his (i.e., from the same bank) and that he simply neglected to confirm the name on the card. He claims he then went to an "arcade" where he used the card to purchase approximately \$14 in games. Police and criminal records reveal that Dantis was charged with fraudulent use of a credit card, less than \$100 by representation, and petit theft in Florida on June 18, 2009. He was accused of taking a credit card off of the restaurant counter by a customer who stated that he laid it there and turned away for a minute. Dantis then allegedly went to Fugglies, a bar, and introduced himself as "Keith Ray", the name on the credit card. According to the records, he told the bartenders and patrons that he had just gotten out of the Marines. He ordered two drinks and a round for the bar. Approximately 45 minutes later, one of the bartenders received a call from Applebee's informing her that Mr. Ray's card had been recently stolen. The bartender then stalled Dantis until the police arrived.

Dantis was on donated leave from the County at the time of this incident. John Dantis claims that Dantis was in Florida visiting a young lady at the time of the incident and that his visit to Florida was directly related to [REDACTED]

However, John Dantis also stated that [REDACTED]

[REDACTED] John Dantis became aware of his son's arrest while his son was in Florida, but did not report Dantis' actions, while on medical leave from the County, to any of Dantis' managers, Human Resources or to the County Manager.

[REDACTED]

[REDACTED]

Carriaga knew of Dantis' use of leave only after the leave had been taken. [REDACTED]

[REDACTED]. Carriaga confirmed that it would concern him if an employee working at a substance abuse treatment facility relapsed. He would send the employee to an Employee Assistance Program (EAP) to assure that the employee was able to return to work. [REDACTED]

Dias simply states he knew Dantis "had something going on and I gave him time off." However, Dias did not know what it was that Dantis had "going on" though he believed Dantis had to "report to the courts." Dias claims he has had a number of staff with different issues and that he normally does not get involved. When an issue came up with Dantis and he needed time off, Dias had Broach assess Dantis. Dias believes Dantis prepared FMLA paperwork and filed for leave with HR, though the records do not support this belief. Dias understood Dantis had "personal issues needing to be addressed" that were medical in nature. Dias is not, however, aware of the medical reasons for Dantis' leave, where he went, or for how long he would be gone.

On December 10, 2009, John Dantis inquired of Dias regarding the amount of donated time Dantis had left. Dias advised him via email that he still had 120 hours of donated time. On Saturday, December 12, 2009, Dias inquired of Lisa Johnson whether Dantis has direct deposit or a paper check. She indicated that Dantis had a paper check this payroll cycle but she was unsure why. Dias asked if Dantis received the check and indicated that "his Dad" needed it. Arrangements were then made to retrieve the check from the facility where it was locked in an employee file. The reason why this was done is unclear.

iv. *Overall Analysis of How Incident Was Handled:*

[REDACTED] As such, management should have documented and verified the need for leave and, upon his return, verified whether he was fit to return to work as a Substance Abuse Tech. However, there is no such documentation in Dantis' HR file, department file or medical file. There is also no application for FMLA leave. The failure to properly document and verify can be attributed to almost every supervisor of Dantis, including Baca, Dias, Broach and Carriaga.

Although John Dantis was aware that his son was in Florida and arrested during his use of donated leave, John Dantis did not communicate this knowledge to anyone in his department or the County. Moreover, Dantis continued to use donated leave upon his return, without verification of critical circumstances or need. [REDACTED]

F. Description of Incident:

Dantis was not tested for drug or alcohol use following a motor vehicle accident in the parking lot of the MATS facility.

i. *Overview:*

Dantis was involved in two motor vehicle accidents while he was employed with the County. The circumstances of neither accident, however, required a drug or alcohol test according to County policy. [REDACTED] It should be noted, however, that Baca had prohibited Dantis from driving a County vehicle prior to one of the accidents. If Dantis was driving in violation of her directive, then he was in breach of County policy.

ii. *Relevant County Policy:*

All employees of the County shall be subject to post-accident testing. [Controlled Substances Abuse and Alcohol Misuse Standard Policy and Procedure ("CSAP") p. 8] Controlled substances and alcohol testing are to be conducted following an accident involving an on-duty employee. [CSAP p. 11] On-duty includes an employee's normal workday or any time operating a County vehicle. [CSAP p. 40] The employee is to notify a supervisor or manager as soon as possible following an accident. [CSAP p. 35] However, only certain types of accidents require testing. [CSAP p. 11] Accidents that require testing are those where 1) a life was lost; 2) the driver was cited and any involved person was transported for medical care; 3) the driver was cited and an involved vehicle was removed from the scene other than on its own power; or 4) the employee is subject to a collective bargaining agreement. [CSAP p. 11] The employee's supervisor is charged with determining whether the circumstances of the accident require testing. [CSAP p. 13] If the

accident requires testing, the supervisor is to immediately escort the employee to the specimen collection location for testing. [CSAP p. 11] Employees must submit to post-accident testing if required. [CSAP p. 12] A positive test or failure to submit to testing is grounds for dismissal. [CSAP p. 12] Dantis acknowledged receipt of the County's Drug and Alcohol Policy on September 11, 2006.

County employees may only operate a County vehicle as authorized by a supervisor. [Risk Management Loss Control Policy ("LC Policy") at § 2.200] Unauthorized use of a County vehicle may result in discipline up to and including dismissal. [LC Policy § 2.200] All appropriate supervisors are to be notified immediately of an accident involving injury to persons or damage to property. [LC Policy § 1.107] The employee shall not disturb the scene of the accident until authorized by the supervisor. [LC Policy § 1.107(B)(1)] Compliance with the LC Policy is mandatory and failure to comply may result in discipline, including termination. [LC Policy § 1.100(B)]

iii. Findings during the Investigation:

Dantis was involved in two motor vehicle accidents during his employment with the County. The first accident occurred on April 16, 2007, when a vehicle backed into a County van being driven by Dantis. The other vehicle was backing out from a parking space when it collided with the County van. There was minor damage to both vehicles and no injuries were reported at the scene. The other driver admitted that she was not paying attention and that the accident was her fault. She was cited for failure to keep a proper look out.

The second accident occurred in the MATS facility parking lot on July 23, 2009. Former County employee Andrew Sidoli, who owned the other vehicle involved in the accident, reported that Dantis informed him that Dantis had hit Sidoli's vehicle while he was reversing "his own vehicle in the parking lot." Dantis and Andrew Sidoli exchanged insurance information. Later, the accident was reported to have occurred while Dantis was backing a County van during the transport of a client. However, no injuries were reported and the property damage was minor.

Baca sent Dias an email on June 22, 2009, stating that Dantis was prohibited from being involved in any direct client care and from doing transports. [Exhibit 7] There is no documentation indicating Dantis was allowed to drive again prior to the accident on July 23, 2009. However, Baca indicated that she would prevent employees from driving for a period of time if there were complaints from clients about their driving. She did not typically document when an employee was allowed to drive again.

Dantis was "reassigned" on October 23, 2009. [Exhibit 4] Per the terms of his reassignment, Dantis was not to drive any County vehicle. He was also reminded to not disregard the "written warning" as it would result in corrective action. However, it is unclear if the June 22, 2009 prohibition from doing transports was being expanded or re-imposed as part of the October 23, 2009 reassignment.

iv. *Overall Analysis of How Incident Was Handled:*

The motor vehicle accidents in which Dantis were involved do not meet County requirements for drug and alcohol testing. In neither case were there injuries or property damage significant enough to trigger the testing. [REDACTED]

Moreover, if Dantis was still prohibited from doing transports at the time of the second accident, then he was in violation of County policy. There is a witness statement in Dantis' department file which indicates that a client was being transported at the time of the July 23, 2009 accident. It is not clear, however, whether an exception was made to Baca's June 22, 2009 directive or whether the directive had been withdrawn. [REDACTED]

G. Description of Incident:

Various employees observed Dantis impaired at work.

i. *Overview:*

Various County employees believed Dantis was impaired while at work. They thought Dantis was impaired based on their observation of him falling asleep at his desk, having dilated pupils, and engaging in odd behavior. They reported the observations to Baca and Dias (verbally and in writing); however, neither Baca nor Dias admit having observed Dantis in this condition and, neither referred him for reasonable suspicion drug and alcohol testing as is required by County policy.

ii. *Relevant County Policy:*

No employee is permitted to perform job functions while abusing controlled substances or alcohol. [CSAP p. 1] As such, all County employees are subject to the County's controlled substance abuse and alcohol misuse policy. [CSAP p. 1-2] Compliance with the policy is mandatory and will not be waived under any circumstance. [CSAP p. 1] No employee shall report to work while abusing a controlled substance or misusing alcohol. [CSAP p. 28] As such, supervisors are required to observe all employees for signs of impairment and properly document all observations. [CSAP p. 28] A supervisor is also required to take seriously any reports of impairment by other employees and immediately begin the observation process. [CSAP p. 43] A supervisor who knowingly ignores information indicating abuse of alcohol or a controlled substance by an employee is subject to disciplinary action. [CSAP p. 31]

All employees are subject to reasonable suspicion testing. [CSAP p. 8] Reasonable suspicion testing is performed when a supervisor believes an employee's behavior indicates controlled substance or alcohol abuse. [CSAP p. 9] Supervisors have a responsibility to

require an employee to submit to testing when reasonable suspicion is present. [CSAP p. 9] Reasonable suspicion must be based on first-hand observations of specific, clearly stated behavior during the performance of job functions. [CSAP p. 9-10] If reasonable suspicion is present, the supervisor should first advise the employee that he or she does not appear "ready for duty." [CSAP p. 36] The supervisor must also complete an "Observed Behavior-Reasonable Suspicion Record." [CSAP p. 9] The form should include the date, time and specific behaviors observed. [CSAP p. 41] The supervisor must also escort the employee to a specimen collection location. [CSAP p. 9] An employee required to submit to reasonable suspicion testing will be placed on administrative leave pending the results. [CSAP p. 9] However, if testing cannot be done within a reasonable time (8 hours for alcohol, 32 hours for controlled substances) it shall not be done. [CSAP p. 10] Employees must submit to testing if requested. [CSAP p. 10] A positive test or failure to submit to testing is grounds for dismissal. [CSAP p. 10]

Abuse of controlled substances or misuse of alcohol or legal drugs by an employee that renders the employee unable to perform his or her job duties is unacceptable conduct and the employee shall be dismissed. [CSAP p. 30] Acts of an employee due to abuse of controlled substances or misuse of alcohol that endanger the people and resources of the County are unacceptable and the employee shall be dismissed. [CSAP p. 30] Use by an employee of illegal drugs or any controlled substance while on duty, or a positive test for a controlled substance, is grounds for termination of employment. [CSAP p. 33] Employees using legal drugs should not allow that usage to interfere with their job duties. [CSAP p. 30] An employee is to inform his or her immediate supervisor if he or she is using prescription medical that may impair the employee's ability to perform job duties. [CSAP p. 31]

Employees are not permitted to use or work under the influence of drugs or alcohol. [MATS 2009 Policies & Procedures ("MATS Policy") Policy 228] The employer may test for substance abuse if reasonable cause exists. [MATS Policy 228] Reasonable suspicion means a belief based on specific facts and inferences drawn from those facts. [MATS Policy 228] If drug or alcohol use is suspected, it should be presented to the employee's supervisor for consideration. [MATS Policy 228] Refusal to submit to testing is grounds for discipline up to and including termination. [MATS Policy 228] Employees can use sick, annual or unpaid leave for rehabilitation. [MATS Policy 228] Each employee should seek assistance before drug or alcohol use leads to a violation of the MATS Policy. [MATS Policy 228] Supervisors are responsible for awareness, communication and ensuring that employees report to work free from the influence of drugs or alcohol. [MATS Policy 228]

An employee shall not use or be under the influence of illegal drugs or alcohol while performing County duties. [LC Policy § 1.105(L)]

iii. Findings during the Investigation:

The investigation revealed that it was not uncommon for employees to find Dantis nodding off or otherwise impaired at work. The first **documented** incident of him being impaired at and subsequently sent home from work occurred on August 23, 2009. On that date, Baca sent Dias an email stating that Dantis had been sent home early. [Exhibit 8] The

reasons offered for her action included that Dantis was very scattered, not staying in one place, leaving the office, cleaning everything, picking at his clothes, and having an overall increase in his obsessive compulsive disorder (OCD).

The second documented incident of Dantis being impaired at work was October 1, 2009. [Exhibit 3]. An employee reported observing Dantis acting peculiar, cussing and slobbering his food *"like a person who has not eaten in a few days."* The employee also noticed Dantis' eyes and thought Dantis looked like he was *"under the influence of something."* The employee questioned why Dantis had not been given an unauthorized absence and expressed concern about Dantis driving a County vehicle and for the safety of Dantis and the clients.

On that same date, another employee noticed that Dantis' pupils were dilated and observed that Dantis had racing thoughts and rapid speech. [Exhibit 2] Dantis was also behaving oddly by offering to sell Crest white strips and watches. This was the same date that Dantis brought the pellet gun to work. Just a few weeks later, Baca documented that she was concerned about Dantis' mental health.

On December 10, 2009, an employee emailed Baca and Dias to state that Dantis appeared to be under the influence. The subject line of the email is "concerned." On that same date, the same employee advised Baca via email that *"your son [referring to Dantis] was sent home."* The employee also verbally advised Baca that she did not want to work with Dantis because she felt she was babysitting. The employee prepared an Incident Report regarding the situation on December 10, 2009. [Exhibit 9]

On December 14, 2009, a male anonymously telephoned County HR and the call was forwarded to Norbert Montoya ("Montoya"). The caller advised Montoya that there was a problem with Dantis. The caller claimed that Dantis had: 1) stolen money from other employees and the facility; 2) stolen medication from the facility; 3) reported "high" to work as recently as two days prior; 4) been to drug rehabilitation twice without the County's knowledge; and 5) not reported to work for several weeks. The caller went on to state that "this has been going on, and nothing has been done, it all gets swept under the rug, because of his dad." Though the caller claimed he would call back in a couple of days, he never called back.

[REDACTED]

[REDACTED]

[Exhibit 10] An employee emailed Baca on January 3, 2010 to state that some employees thought Dantis seemed impaired. [Exhibit 11] Dantis was charged with shoplifting under \$250.00 the next day. He was again charged with larceny/shoplifting on January 7, 2010.

On January 20, 2010, Dantis and another employee were outside of the MATS facility when Dantis stated he felt "light headed". He then dropped his pen, started to jerk, and appeared to be having a seizure. The other employee held him upright during the seizure

and, following the seizure, told Dantis she was going to call AAS. Dantis stated that he simply wanted to go inside, where he called his mother who picked him up and transported him for medical care. The employee prepared an Incident Report and, the next day, John Dantis emailed Dias to inform him of Dantis' seizure. [Exhibit 12]

A County employee emailed Baca on January 30, 2010, to inform her that Dantis looked high again. [Exhibit 13] Baca responded by indicating she understood Dantis to be on medication. [Exhibit 13] There is no documentation in Dantis' file documenting a need for medication.

Baca emailed Dias on February 17, 2010, to advise him that Dantis had been sent home. [Exhibit 14] A County employee emailed Baca the next day to state that Dantis was falling asleep at his desk. [Exhibit 15] The employee also forwarded the email to Dias. A different employee emailed Baca about Dantis' condition on February 23, 2010. [Exhibit 16] Baca instructed the employee to inform Dias. [Exhibit 16]

Dantis was again charged with shoplifting on April 22, 2010. John Dantis sent an email to Dantis three days later with a few "reminders." [Exhibit 17] One reminder was to *"visit with Dwight (only) and let him know what happened and that there was no intent, and that you will be working with your attorney to get it dismissed."*

Dantis was missing from work or could not be found on several occasions based on several emails. Baca reported that Dantis seemed to take more smoke breaks than he was permitted and addressed this with him. Otherwise, Baca did not express any specific concern about Dantis' absences. [REDACTED]

Former County employee Jeff Holland ("Holland") claims that Dantis was impaired at work "all the time." He further claims that on a Saturday in January 2009, Carriaga asked him to participate in an "intervention" for Dantis. He claims the participants included Carriaga, Dias and Broach and that it was done at the home of John Dantis with participation from John and Judy Dantis. During the "intervention", Holland claims he stated to Dantis that he knew Dantis was stealing medication from clients, that he was stealing money, that he was showing up "loaded" to work, and that something had to change. He also claims that he told Dantis that if he continued on this path, he was endangering the lives of everyone and was going to kill himself. Holland claims that Dantis acknowledged what Holland was saying was true in front of his managers.

During the "intervention", Holland states that everybody told Dantis he needed to get treatment. [REDACTED]

[REDACTED] The time sheets reveal that Dantis did take 5 days off of work in early February 2009 (the 2nd through the 6th). The week before, he used approximately 18 hours of sick leave. Dantis was charged with assault, disorderly conduct, injuring or tampering with a vehicle, concealing his identity, and resisting evading and obstructing an officer just a few

days before he took this leave. Dantis was found guilty of assault and disorderly conduct but all other charges were dismissed.

Holland also claims that Baca admitted to him that she knew it was Dantis who was stealing medication from client. Holland claims Baca stated that she had witnessed Dantis making a drug exchange in the parking lot; however, Baca did not make any such statement during her witness interview. According to Holland, Baca's standard response when told of problems with Dantis was it is "out of my control" or "we can only contain him but we can't control him." Baca stated during her interview that she did not suspect Dantis was using again, as she never observed him with blood shot eyes or dilated pupils. Dantis denied to Baca that he was "using" and instead claimed to be on medication. Baca believed it was administration's job, not her job, to follow up for medical verification.

Dantis received a three month, six month, and nine month evaluation from Dias on June 6, 2007. Those evaluations reflect satisfactory performance by Dantis. On July 7, 2009 and February 14, 2010, Baca completed "Internal Employee Evaluations" for Dantis. Both evaluations rate him at above average or higher for quantity and quality of work, initiative, dependability/responsibility, quality of interpersonal relationships, punctuality, and leadership ability. Neither of the evaluations addresses any concerns with his mental health or behavior at work.

iv. Overall Analysis of How Incident Was Handled:

A number of employees observed and documented Dantis' questionable behavior at work; however, he was never disciplined. Though Baca sent him home on a number of occasions because he was impaired, she never observed him or referred him for drug and alcohol testing as required by County policy. Dantis admits that he nodded off at work on one occasion, but claims he was adjusting to medication. John Dantis also claims that Dantis was having difficulty with medication. However, John Dantis allowed Dantis to go to work because Dantis insisted he could perform his job. Moreover, John Dantis was aware of his son's problems and did not take steps to notify his supervisors or protect the County from potential harm from Dantis' conduct.

There is a record of another employee nodding off at work during the graveyard shift. That employee received a reprimand on December 2, 2009, which was signed by Dias and stated that the employee was "sleeping on shift." Dias classified the employee's actions and conduct as "inappropriate, careless and inconsistent with his obligation as an employee and [the conduct] constitute[s] insubordination and conduct unbecoming of a County employee." Dias also indicated that similar future conduct would result in "more severe disciplinary action being taken against the employee including dismissal from employment with Bernalillo County." This response by Dias is markedly different from the latitude given to Dantis.

Nobody in management took action with respect to Dantis' questionable behavior. They indicated that Dantis was seeing a physician and adjusting to medication, but there was no documentation for this claim provided or requested by any County manager. There is

nothing in Dantis' medical file indicating that he had a medical condition, that he was taking medication, or that he requested any requested accommodation. [REDACTED]

H. Description of Incident:

Dantis was engaged in romantic relationships with former MATS clients.

i. Overview:

Several witnesses believe Dantis engaged in a romantic relationship with one or more former clients of MATS. Although management was aware of rumors regarding Dantis' relationships, no actions were taken to protect the clients' personal information or keep Dantis from servicing other clients.

ii. Relevant County Policy:

Unlicensed staff shall not engage in any consensual relationship with former clients until five years after the clients terminate services. [MATS 2009 Policies & Procedures ("MATS Policy") Policy 204] Any information regarding staff/client relationships must be brought to the attention of the Program Supervisor for resolution and to eliminate conflicts of interest. [MATS Policy 204] Violation of the policy results in corrective action which may include termination of employment. [MATS Policy 204]

iii. Findings during the Investigation:

The investigation revealed that Dantis did date Client A, who was a former client of MATS. Dantis and others confirm that he met Client A years before he began working at MATS and before she was a client. Because they had a relationship outside of MATS separate and apart from any relationship created at MATS, it was permissible for him to have a consensual relationship with her. It appears the relationship with Client A ended in 2009. Many witnesses stated that they believe Dantis' problems arose from a difficult relationship and breakup with Client A.

In June 2009, Client A requested a copy of her discharge summary from MATS via telephone; however, the employees were unable to locate her chart. There was no documentation on the retrieval log that her chart was pulled. According to Client A, she believed Dantis took her chart and wanted to verify her suspicions. Client A requested a copy of her entire file in writing on June 19, 2009. She indicated that she saw her file in the possession of Dantis at his home or in his vehicle 1½ to 2 years prior to the request. While searching for the file, Baca indicated that she restructured the client filing system in November 2008 and the file was present.

Dantis denied having removed any file from the MATS facility. He believes Client A may have solicited another employee, with whom she had personal involvement, to

remove the chart after the relationship between Dantis and Client A "ended bitterly."

Dantis was questioned about the issue upon his return and denied any involvement. During his interview, Dantis denied violating any client confidentiality and denied removing the file.

Client A again made a written request for her file on July 6, 2009. She expressed concern that her personal information, including Social Security Number, date of birth, and address, had not been protected. She stated she had become concerned, since her breakup with Dantis, that her file was not at the MATS facility. Broach responded to Client A's request for the file on July 9, 2009, stating that a thorough investigation was completed and that her allegation regarding the removal of her file from the facility could not be substantiated. Broach stated that the fact the incident had occurred 1½ to 2 years prior made it difficult to establish whether the incident occurred. Client A was advised on July 13, 2009 that her file could not be located. It appears no other action was taken with regard to Client A's request.

Management, including John Dantis, appeared to be aware of Dantis' relationship with Client A; however, because Dantis knew Client A before she was a client of MATS, they did not believe MATS policy was violated. Also, the MATS policy that prohibited certain relationships did not come into effect until April 28, 2009 and was not received by Dantis until September 23, 2009. Prior to that, while there was a general understanding that fraternizing with clients or former clients was prohibited, there was nothing in writing.

In June 2009, Holland was terminated during his extended probationary period and concerns were noted about "professional boundaries." It was rumored that Holland was dating Client A at the time he was terminated. However, he denies he was dating Client A at that time and states they did not begin dating until July 2009. Holland believes he was terminated because he was complaining "too loudly" about Dantis and was vocal with his concern about Dantis using or being under the influence at work.

There were rumors that Dantis was also dating Client B, another former MATS client whom he met while both were at MATS. Dantis admits dating someone with the same name as Client B; however, he denies she was ever at MATS. An employee email reveals that the employee saw Dantis out with Client B and his father, John Dantis. It was not believed that John Dantis knew Client B was a former MATS client. Baca sent this information to Dias via email on November 2, 2009; however, there is no evidence that this specific issue was addressed with Dantis. [Exhibit 26] On November 3, 2009, Baca again advised Dantis via telephone that he was prohibited from engaging in client care. She confirmed that she held this conversation with Dantis via email to Broach, who advised that he would speak with Dias and suggest a "sidebar" with John Dantis. [Exhibit 24] It is unclear whether these two emails are related.

Dantis is allegedly currently dating another former client, Client C; however, he denies having dated any former clients other than Client A. Dantis states that he was never disciplined or counseled regarding the practice of dating former clients but Baca claims she

advised all employees about boundary issues and warned them about personal relationships with current or former clients.

iv. Overall Analysis of How Incident Was Handled:

The perception among employees is that Dantis was not held to the same standard regarding dating former clients as was other staff. There were concerns that Holland was dating Client A and with regard to his professional boundaries and he was terminated. On the other hand, Dantis was never disciplined or even counseled regarding his relationships with former clients.

[REDACTED] The interviews revealed that no one is sure how such a policy should be applied. Many employees are in recovery and participate in programs outside of work that involve other people in recovery. Because of this, relationships are built outside of work that include much of the same population served through the County programs.

V. CONCLUSION:

VI. ADDITIONAL INFORMATION:

An employee advised Dias on July 23, 2008 that Dantis was logged in to a County computer under a former employee's user name. [Exhibit 22] Dantis first claimed that he

was trying to delete the former employee's profile; however, he later claimed that the former employee had asked him to check his County email account. [Exhibit 22]

On July 24, 2008, the same employee reported that a discharged client wanted to speak to Dias in order to complain about Dantis' behavior. [Exhibit 23] Specifically, the discharged client was upset because Dantis released information regarding the client to the client's daughter without the client's permission. [Exhibit 23] We have found no documentation of any disciplinary action being taken against Dantis for either of these incidents.

Baca sent Dantis an email on November 18, 2008, with a copy to Dias and Broach, admonishing him for permitting a client to self-transport for a court appearance. [Exhibit 18] In the email, Baca indicates that she will arrange a time to meet with Dantis to discuss the issue. [Exhibit 18] There is no written evidence that a follow up meeting ever occurred.

An Incident Report dated January 5, 2010, describes a client who reported that he had money missing. He claimed to have had over \$10 missing. He further alleged that he gave the money to Dantis at intake. Dantis denied receiving money from the client but stated that he put the client's clothes in the washer because the client had urinated all over them. There is no indication that this issue was further addressed with Dantis.

A resident of the County contacted the investigator to discuss concerns she had regarding her son's stay at MATS. She claims Dantis acted unprofessionally when she called to check on her son. Dantis asked about her daughter and discussed his personal relationship with her daughter. In addition, she disagreed with Dantis' recommendation to her son regarding obtaining treatment out of state where he would have little or no support. She believes her son's recovery failed because of Dantis' poor judgment.

An anonymous letter was received in the investigator's office alleging most if not all senior administrative employees have contributed to problems in the DSAP. [Exhibit 19] The letter alleges that Carriaga was fired by John Dantis as a result of several sexual harassment complaints by female employees before being rehired the next day. [Exhibit 19] Carriaga confirmed that there was a sexual harassment complaint made against him. He denied any sexual harassment but indicated that he received a written reprimand from the County as a result of the incident. The letter goes on to state that there are many incidents of favoritism. [Exhibit 19] The letter specifically names Carriaga, Dias, Sam Miners and Loretta Rivera as negligent employees. [Exhibit 19]

An anonymous letter was also left on Carriaga's vehicle during the investigation. [Exhibit 20] The writer claims that he or she is a member of a 12-step fellowship with knowledge of the MATS "soap opera." [Exhibit 20] The letter alleges that while Dantis was in treatment, Holland began sleeping with Dantis' girlfriend. [Exhibit 20] The letter also states that when Holland was later fired from MATS for "who knows why," he got together with Jeff Proctor, the journal reporter. [Exhibit 20] The letter goes on to claim that Holland bragged about going to the media about Dantis and John Dantis. [Exhibit 20]

VII. EXHIBITS AND EVIDENCE:

The following documents were reviewed to develop facts and other information for this report. The County, as with many other businesses, only keeps email for a certain period of time in order to conserve space on its servers. However, the length of time that email is kept may vary depending upon certain factors, such as how an employee manages his or her email and how an employee stores email. For this investigation, any email that remained on the servers from the relevant employee's account, at the time this investigation was commenced, was reviewed, as outlined below.

- Emails in Cecilia Baca's Bernalillo County email account
- Emails in Dwight Dias' Bernalillo County email account
- Emails in Adan Carriaga's Bernalillo County email account
- Emails in Carl Broach's Bernalillo County email account
- Emails in Normand McKinnon's Bernalillo County email account
- Emails between Cecilia Baca and Dwight Dias from 1/1/08 – 4/29/10
- Emails between Dwight Dias and John Dantis from 1/1/08 – 4/29-10
- Bernalillo County Controlled Substances Abuse and Alcohol Misuse Standard Policy and Procedure
- Bernalillo County Workplace Violence Policy
- Bernalillo County Nepotism Policy
- Bernalillo County FMLA Policy
- Bernalillo County Leave and Holiday Policies
- Bernalillo County Risk Management Loss Control Policy
- Annual Leave Conversion Contributed to Sick Leave
- MATS Policies and Procedures 27 February 2006
- MATS 2009 Policies and Procedures
- Jamie Dantis Time Sheets 2006-2010
- Jamie Dantis Time Cards 2007-2010
- Anonymous call transcript
- Department File for Jamie Dantis
- HR Personnel File for Jamie Dantis
- Medical File for Jamie Dantis
- Files from Cecilia Baca regarding employee evaluations and training
- Department File for Jeffrey Holland
- Department File for Patrick Sanchez
- MATS Detox Incident Reports dated: 6/19/08, 7/23/09, 9/20/09, 10/14/09, 12/8/09, 12/10/09, 12/17/09, 1/5/10, 1/20/10, 2/28/10, 3/30/10
- Bernalillo County Public Safety Division, Department of Substance Abuse Programs (DSAP) Organizational Chart

Outlook Testbox

From: Dwight E. Dias
Sent: Thursday, October 01, 2009 5:17 PM
To: Cecilia S. Baca
Subject: Re:

Also have staff that observed him sleeping

From: Cecilia S. Baca
To: Dwight E. Dias
Sent: Thu Oct 01 17:14:23 2009
Subject: RE:

Will do

From: Dwight E. Dias
Sent: Thursday, October 01, 2009 5:10 PM
To: Cecilia S. Baca
Subject: Re:

Have everyone put in writing.

From: Cecilia S. Baca
To: Dwight E. Dias
Sent: Thu Oct 01 16:56:40 2009
Subject:

FYI: Jamie was playing with a pellet gun in the office and apparently shot himself in the chest, Kristen observed him playing with the gun, He also showed Roy the hole in his chest. Jamie was doing transports in the van and was not authorized to do this so I will meet with him on Monday to discuss this. Jamie will be off the next few days but it would be important that he not drive around with that pellet gun in his car.

5/21/2010



Outlook Testbox

From: Cecilia S. Baca
Sent: Friday, October 23, 2009 5:12 PM
To: Dwight E. Dias
Subject: FW:

From: Kristin E. Kennedy
Sent: Friday, October 02, 2009 7:38 PM
To: Cecilia S. Baca
Subject: Re:

Cecilia,

Yesterday (10-1-09), Jamie returned from transport at around 1345 after being gone several hours. I observed him having dilated pupils and having racing thoughts and rapid speech. He asked me if I wanted to buy Crest teeth Whitening Strips for \$15. I said no and told him that I needed to finish typing an assessment for one of my clients. However, he continued talking to me and at about 1445 he took a pellet gun out of his backpack and began pointing it around the front office in the intake area. Both Roy and I were witnesses to this and told to put the pellet gun away. He did and then about 5 min. later, Mike Espinosa walked through the intake area and Jamie showed him 3 watches and asked him if he wanted to buy one for \$80. Mike said no and Jamie continued speaking rapidly and had racing thoughts. I finished the ct assessment around 1500 and went to the detox office for shift change.

Sent via BlackBerry by AT&T

From: "Cecilia S. Baca"
Date: Fri, 2 Oct 2009 09:20:01 -0600
To: Kristin E. Kennedy<kkennedy@bermco.gov>
Subject: Re:

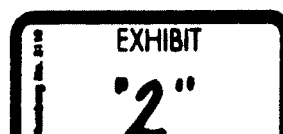
I have not read it. But I need a email from your interacting with and him shooting himself with a pellet gun. I need this asap.

as well as what you observed with jamie

From: Kristin E. Kennedy
To: Cecilia S. Baca
Sent: Fri Oct 02 09:17:39 2009
Subject:
Hi Cecilia-

is not here today and is requesting to have a guitar brought here for him. Would you please let me know if this would be approved. Also, any feedback on my assessment on (for) would be greatly appreciated.

Thanks,
Kristin



Outlook Testbox

From: Cecilia S. Baca
Sent: Friday, October 23, 2009 5:12 PM
To: Dwight E. Dias
Subject: FW: Concerned

From: Normand E. McKinnon
Sent: Thursday, October 01, 2009 9:12 PM
To: Cecilia S. Baca
Subject: Concerned

Cecilia,
When I came into work today at 1450, I saw Jamie in the Central Intake office. Kristin was sitting at the desk and Jamie was sitting across from her (where clients sit for intakes). I noticed that Jamie was acting peculiar (stating f... you Norm) and slobbering his food like a person who has not eaten in a few days. I looked at his eyes and I thought that Jamie looked like he was under the influence of something. Would it be out of line for me to think this? Would it also be out of line for me to ask why he is not given a UA? He is driving a county vehicle and I think it is very dangerous if he is using drugs. Am I overreacting or crossing my boundaries? I am only asking you this because I am very concerned about his safety and the safety of our clients.

Norm



5/11/2010

Outlook Testbox

From: Cecilia S. Baca
Sent: Friday, October 23, 2009 5:32 PM
To: James D. Dantis
Cc: Dwight F. Diaz; Carl Broach
Subject: RE: reassignment

Jamie

[REDACTED]

I will schedule a time to meet with you to discuss my concerns as well as any support that is available to you if needed. Again, as your immediate supervisor the expectation is that you follow through with this reassignment and to use this time to focus on your professional development as well as completing the trainings (which I will make available) and which are outlined below:

Pharmacology
Staff Burnout (refresher)
Harm Reduction
Documentation of Client Records
Confidentiality (refresher)

Thank you

From: James D. Dantis
Sent: Friday, October 23, 2009 4:38 PM
To: Cecilia S. Baca
Subject: Re:

What?

Sent from my Verizon Wireless BlackBerry

From: "Cecilia S. Baca" <csbaca@bemco.gov>
Date: Fri, 23 Oct 2009 16:12:58 -0600
To: James D. Dantis <jamesd@bemco.gov>
Cc: Dwight E. Diaz <ddias@bemco.gov>; Carl Broach <cbroach@bemco.gov>
Subject:

Jamie,

After reviewing your job performance I have made the recommendation to the Program Manager that you be reassigned and he has approved this reassignment which it is to take effect immediately. Effective 10/23/2009 you are to answer phones in the Central Intake Unit only. You can sit in the front entry area or occupy an office. Secondly, you are not to drive any company vehicle, do intakes, take custody of medication, or involve yourself in any MATS/SAC duties. You are to stay in your assigned area, and are not allowed to enter the detox area until further notice, please do not disregard this written warning as it will result in corrective action. I will schedule a time to meet with you to discuss these concerns. Thank you



5/11/2010

Outlook Testbox

From: Dwight E. Dias
Sent: Friday, August 14, 2009 11:46 AM
To: Lisa M. Johnson
Subject: Re: Jamie Dantis

I assumed he was notifying admin ever time he has to go to those appointment

From: Lisa M. Johnson
To: Dwight E. Dias
Sent: Fri Aug 14 10:24:54 2009
Subject: Jamie Dantis

Hi, I just wanted you to know that Jamie has been taking leave and has mentioned he has been pre-approved (by you) to do so when he wants. I still feel Jamie should be calling Administration to let me know when he is doing this because his time is never noted on the shift reports. I'm having to backtrack and do corrections to his time after the fact and it's becoming a pattern.

Can we address this?

I would appreciate your help.....

LM~



Outlook Testbox

From: Dwight E. Dias
Sent: Monday, December 14, 2009 12:12 PM
To: Lisa M. Johnson
Subject: Jamie Dantls

Tracking: Recipient Delivery Read
Lisa M. Johnson Delivered: 12/14/2009 12:12 PM Read: 12/14/2009 2:13 PM

Jamie was authorized time off from November 11, 2009 to November 26 and draw from his donated leave.

Dwight E. Dias, MATS Program Manager
Bernalillo County
Department of Substance Abuse Programs (DSAP)
Metropolitan Assessment Treatment Services (MATS)
5901 Zuni SE
Albuquerque, NM 87108
Phone: (505) 468-1559
Fax: (505) 462-9844
E-mail: ddias@bernco.gov

NOTE: This communication may be confidential or privileged, and is intended only for the individual or entity named above. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the communication or any information contained in the communication. If you have received this communication in error, please advise sender by reply email to ddias@bernco.gov

5/21/2010



Outlook Testbox

From: Dwight E. Dias
Sent: Monday, June 22, 2009 7:15 PM
To: Cecilia S. Baca
Cc: Carl Broach
Subject: Re:

Great plan

From: Cecilia S. Baca
To: Dwight E. Dias
Cc: Carl Broach
Sent: Mon Jun 22 18:20:13 2009
Subject:

D

Per our conversation, I have come up with a general job reassignment for Jamie Dantis.

Jamie will be reassigned to the CIU until further notice, He will be working as our front intake person and will not be involved in any direct client care. Part of the reassignment include no groups/case mgt with MATS or SAC clients, and will not be involved in transports or medication mgt. Thank you.

5/21/2010



Outlook Testbox

From: Cecilia S. Baca

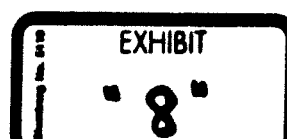
Sent: Sunday, August 23, 2009 2:35 PM

To: Dwight E. Dias

D

Just so that you know I sent Jamie home early. He has been very scattered; not staying in one place, leaving the office, cleaning everything, picking at his cloths, just an overall increase in his ocd behaviors, also his car was hit by another car when he went on break.

c



CLIENT NAME: _____

DATE & TIME: 12/10/09__0900

TYPE OF INCIDENT	INFORMATION REPORTED BY	INCIDENT OUTCOME	MEDICATION LEFT BEHIND
<input type="checkbox"/> CLIENT <input type="checkbox"/> VISITOR <input checked="" type="checkbox"/> STAFF <input type="checkbox"/> PROPERTY	<input type="checkbox"/> CLIENT <input type="checkbox"/> VISITOR <input checked="" type="checkbox"/> STAFF <input type="checkbox"/> OTHER	<input type="checkbox"/> LAW ENFORCEMENT CALLED / INVOLVED <input type="checkbox"/> CLIENT DISCHARGED <input type="checkbox"/> HOSPITALIZATION <input type="checkbox"/> PROPERTY DAMAGE OR LOSS <input checked="" type="checkbox"/> NONE OR N/A	LIST: _____ QUANTITY: _____ _____ _____ _____ _____ **ADD ADDITIONAL SHEET IF NEEDED**

LIST ALL PERSONS INVOLVED IN THE INCIDENT & BRIEFLY HOW THEY WERE INVOLVED (Active Participant, Passive Participant, Witness, Overheard by, etc....)	
Staff: Jamie Dantis- Active Participant	Staff: David Montoya- witness
Staff: Melonie Daughtery- witness	
Staff: Shawntel Paddock- witness	
Staff: Marie Romero- witness	
Staff: Andrew Sidoli-witness	

INCIDENT NARRATIVE

WHAT WAS HAPPENING BEFORE WITNESSING OR HEARING OF THIS INCIDENT (CLEARLY DESCRIBE SETTING)

0900 Writer entered CIU to meet with intake staff Melonie Daughtery. I observed staff member, Jamie Dantis, in the first office (west) sitting in the desk with his eyes closed and nodding off, and appeared to be fumbling with an object. I emailed Prog Mgr Dwight Dias, and Program Sup Cecilia Baca of his impairment. I returned to MATS. I then returned to CIU after staff Melonie called. I proceeded to admin office and notified staff to contact Dwight Dias. I left to the CIU and observed Jamie D. again appearing very impaired attempting to eat his meal while fumbling with his phone.

WHAT WAS DONE DURING THE INCIDENT TO MANAGE THE SITUATION (BE SPECIFIC - GIVE STEP BY STEP DETAIL)

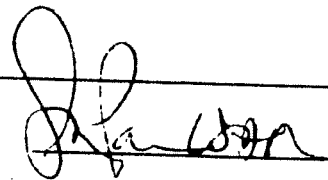
Writer informed management that staff member, Jamie Dantis', was impaired.

WHAT RESOLUTION WAS REACHED IN THIS INCIDENT (DESCRIBE REASONS FOR REACHING THIS DECISION)

Staff member, Jamie Dantis, was driven home.

NAME OF PERSON COMPLETING THIS FORM:

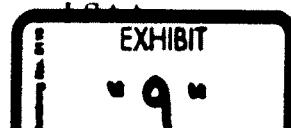
Shawntel Paddock,



12/10/2009

PRINT

SIGN



Outlook Testbox

From: John Dantis
Sent: Monday, December 21, 2009 3:26 PM
To: Lena Gonzales
Subject: RE: How are things going?

cc: [Redacted]

From: Lena Gonzales
Sent: Monday, December 21, 2009 3:25 PM
To: John Dantis
Subject: RE: How are things going?

Everyone kept asking for you at Irene's party but I just told them that you couldn't make it. Carmen and I both know that you are having issues with Jamie – but we respect your family's privacy. Let us know if we can help in any way.

From: John Dantis
Sent: Monday, December 21, 2009 3:15 PM
To: Lena Gonzales
Subject: RE: How are things going?

From: Lena Gonzales
Sent: Monday, December 21, 2009 2:59 PM
To: John Dantis
Subject: How are things going?

John,

How are things going? How is Jamie? Are you working three days this week?

I'm praying a novena that things get better for Jamie and that God gives you and your family peace and tranquility.

I'll visit your office this week....

Love, Lena



Shawntel M. Paddock

From: Cecilia S. Baca
Sent: Sunday, January 03, 2010 10:29 AM
To: Shawntel M. Paddock
Subject: Re: addendum

Ok

Cecilia S. Baca Lpcc, Ladac
Program Clinical Supervisor
Metro Assessment Treatment Services
Bernalillo County-DSAP

From: Shawntel M. Paddock
To: Cecilia S. Baca
Sent: Sun Jan 03 09:23:04 2010
Subject: addendum

So, I don't know about JD. He seems okay to me, but both Sharon and Andrew say he seems impaired due to his eye seeming weird. I dunno.

~sp



CLIENT NAME: Jamie Dantis

DATE & TIME: 1/20/10__0845

TYPE OF INCIDENT	INFORMATION REPORTED BY	INCIDENT OUTCOME	MEDICATION LEFT BEHIND
<input type="checkbox"/> CLIENT <input type="checkbox"/> VISITOR <input checked="" type="checkbox"/> STAFF <input type="checkbox"/> PROPERTY	<input type="checkbox"/> CLIENT <input type="checkbox"/> VISITOR <input checked="" type="checkbox"/> STAFF <input type="checkbox"/> OTHER	<input type="checkbox"/> LAW ENFORCEMENT CALLED / INVOLVED <input type="checkbox"/> CLIENT DISCHARGED <input type="checkbox"/> HOSPITALIZATION <input type="checkbox"/> PROPERTY DAMAGE OR LOSS <input checked="" type="checkbox"/> NONE OR N/A	LIST: _____ QUANTITY: _____ _____ _____ _____ _____ _____ **ADD ADDITIONAL SHEET IF NEEDED**

LIST ALL PERSONS INVOLVED IN THE INCIDENT & BRIEFLY HOW THEY WERE INVOLVED (Active Participant, Passive Participant, Witness, Overheard by, etc....)	
Staff Terry Loza	Staff Jamie Dantis
Staff Bev Apacado	

INCIDENT NARRATIVE

WHAT WAS HAPPENING BEFORE WITNESSING OR HEARING OF THIS INCIDENT (CLEARLY DESCRIBE SETTING)

Staff Jamie D and myself (Terry L) were outside when Jamie D. stated "I feel light headed" drop his pen and started to jerk which appeared to be a seizure

WHAT WAS DONE DURING THE INCIDENT TO MANAGE THE SITUATION (BE SPECIFIC - GIVE STEP BY STEP DETAIL)

I held him up during the seizure and after the seizure I (Terry L) told Jamie I was going to call AAS and Jamie stated "No, I just want to go inside". I talk to him about calling his family and should go to the Hospital.

WHAT RESOLUTION WAS REACHED IN THIS INCIDENT (DESCRIBE REASONS FOR REACHING THIS DECISION)

Jamie called his mother who picked him up and transported him to his Doctors.

NAME OF PERSON COMPLETING THIS FORM:

Terry Loza
PRINT

SIGN

1/20/2010
DATE

DETOX MANAGER SIGNATURE:

EXHIBIT

"12"

Outlook Testbox

From: John Dantis
Sent: Thursday, January 21, 2010 7:54 AM
To: Dwight E. Dias
Subject: RE:

[REDACTED]

More to come...

-----Original Message-----

From: Dwight E. Dias
Sent: Wednesday, January 20, 2010 8:38 PM
To: John Dantis
Subject:

How is he doing?

Outlook Testbox

From: Cecilia S. Baca
Sent: Tuesday, February 02, 2010 7:22 AM
To: Normand E. McKinnon
Subject: Re: Jamie

Don't let it happen again. :o)

Cecilia S. Baca Lpcc, Ladac
Program Clinical Supervisor
Metro Assessment Treatment Services
Bernalillo County-DSAP

From: Normand E. McKinnon
To: Cecilia S. Baca
Sent: Tue Feb 02 05:10:03 2010
Subject: RE: Jamie

Oh.....my mistake.

From: Cecilia S. Baca
Sent: Saturday, January 30, 2010 7:27 AM
To: Normand E. McKinnon
Subject: Re: Jamie

[REDACTED]

Cecilia S. Baca Lpcc, Ladac
Program Clinical Supervisor
Metro Assessment Treatment Services
Bernalillo County-DSAP

From: Normand E. McKinnon
To: Cecilia S. Baca
Sent: Sat Jan 30 04:56:34 2010
Subject: Jamie

Hello Cecilia,

Once again, another email being sent to you about Jamie. I have had a hard time using this email account and wanted to send you this yesterday; but my email wasn't working. On this past Thursday morning at 0710, I was with the clients in the cafeteria watching them. Jamie walked in around 0715. I would not have noticed his condition if he wasn't smiling, but he was high on something once again. Even the client I was sitting with noticed it. The client made a statement saying "that guy looks f----ed up". I looked at Jamie and just shook my head. Jamie just smirked and gave me that look of, "there's nothing anyone can do about it". This is the third time in the short two weeks I have worked the graveyard shift that Jamie looked high. The time before this one was when he "passed out" in the parking lot when he was smoking a cigarette with Terry. Needless to say, this is ridiculous and for the sake of our licensures, we need to address this. But I'm just a peon and it seems like no one cares about this.

Norm

5/21/2010



From: Cecilia S. Baca [csbaca@bernco.gov]

Sent: Wednesday, February 17, 2010 9:43 AM

To: Dwight E. Dias

D

I made an executive decision and told Jamie to take his break due to finding him nodded off on his key board [REDACTED]. He will take his lunch + 2 breaks. I also extended him an extra hour to just go home. He will return at 12:00 to finish off his shift.

Cecilia S. Baca Lpcc, Ladac
Program Clinical Supervisor
Metro Assessment Treatment Services
Bernalillo County-DSAP



Outlook Testbox

From: Cecilia S. Baca
Sent: Thursday, February 18, 2010 1:00 PM
To: Marie L. Romero
Subject: Re: FYI

Thanks

Cecilia S. Baca Lpcc, Ladac
Program Clinical Supervisor
Metro Assessment Treatment Services
Bernalillo County-DSAP

From: Marie L. Romero
To: Cecilia S. Baca
Sent: Thu Feb 18 08:46:30 2010
Subject: FYI

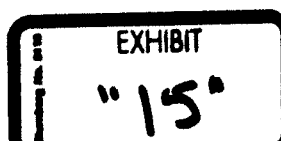
Hi Sunshine:

FYI- Jamie is falling asleep at his computer in CIU, [REDACTED]
called in and [REDACTED] called in.

Thank you,
Marie L. Romero
Bernalillo County
MATS- Detox
5901 Zuni, SE
Albuquerque, NM 87108
Phone: 505-468-1555
Fax: 505-266 -3947

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5/21/2010



Outlook Testbox

From: Cecilia S. Baca
Sent: Tuesday, February 23, 2010 9:35 AM
To: Terry M. Loza
Subject: Re:

Thanks. Tell dwight

Cecilia S. Baca Lpcc, Ladac
Program Clinical Supervisor
Metro Assessment Treatment Services
Bernalillo County-DSAP

From: Terry M. Loza
To: Cecilia S. Baca
Sent: Tue Feb 23 08:57:19 2010
Subject:

Morning

Cecilia..I don't think Jamie is feeling good today. Twice the SAC client are reporting that he is nodding.
Terry

5/21/2010



Agnes Fuentevilla Padilla

From: John Dantis
Sent: Sunday, April 25, 2010 9:24 PM
To: James D. Dantis
Subject: Reminders...

Jamie,

Hope you are having a good day so far... Just a couple of reminders of things that must be taken care of today...

- Call Rio Grande Credit early to schedule a time after work to visit with them on your car loan.
- Visit with Dwight (only) and let him know about what happened and that there was no intent, and that you will be working with your Attorney to get it dismissed.
- Call your Attorney, begin working with him on getting a dismissal.
-

You took a copy of the Passport Application with you to work. Please look it over and if you get a chance you might start filling it out. Call me if you have any questions on this....



From: Cecilia S. Baca [csbaca@bernco.gov]
Sent: Monday, November 03, 2008 9:13 PM
To: James D. Dantis
Cc: Dwight Dias; Carl Broach
Subject:

Jamie

It has come to my attention that you approved a client to leave MATS facility as a self transport to appear in court for non-payment of child support in Santa Fe. Client reported in wrap up that he also went to dinner in Santa Fe with his family. Client then returned to the unit with a suit case and back pack of clothing. Per policies and procedures clients are not allowed to leave the unit to address legal issues and self-transports are prohibited unless client is discharging. I would like to inform you that I will arrange a time to meet with you regarding this incident. You are not to discuss this matter until I have met with you. Cecilia

Cecilia



4/09/2010

I am very concerned about the Bernalillo County Department of Substance Abuse Programs. I am also concerned about my continued employment at DSAP as a result of writing this letter and that is why I will not identify myself.

I understand you are looking into John Dantis' role in this matter. Be that as it may, most if not all senior administrative have contributed to this and many other problems in the department. I Believe that every program should be looked into.

Adan Carriaga who was named as temporary Director was actually fired by John Dantis, as a result of several sexual harassment complaints filed by female subordinates. He was then rehired the next day. There are many more incidents of favoritism in this department and yes I am not one of the favored actually I could be describes as somewhat disgruntled. I have worked under these conditions for several years. This department serves the community and it's work is with addicts and alcoholics in this community, attempting to guide them towards a better life. These managers have lost their way and the people who work for them, the people we serve and this community are paying the price for their negligence. Adan Carriaga, Dwight Dias, Sam Miners and Loretta Rivera, just to name a few.

EXHIBIT

"19"

I am a person that knows of the MATS soap opera. I am a member of a 12 step fellowship and what is going on in our community is sickening.

This is it, Jamie Dantis went to treatment, Jeff Holland (Jamie's friend) started sleeping with Jamie's girl, later Jeff was fired from MATS, who knows why? He probably did something wrong. Of course they don't like each other, so Jeff Holland got's together with Jeff Proctor the journal reporter who is also in recovery. The two Jeff's are friends and conspired to do this for months.

Jeff Holland sceemed this 'F--- Jamie and John" thing up himself. He should be investigated along with the county person who gives files out to him, what other staff is in Jeff's plan to destroy, conspire, he even has told other's he is already suing the county anyway. Dude, what is up with that.

Since Jeff Holland got fired he has walked around bragging about how he is going to the media after John Dantis and his son. 20 to 30 people in recovery could tell you that.

I don't know if this is legal, but isn't this a conspiracy?

That guy just thinks of himself not others, what will happen to addicts looking for help, will MATS close?

I choose to remain anonymous,

I will send copies to County Manager, Editorial Board, journal and tv stations.

Please don't blame everyone in NA for this looser and please don't put NA on tv. We had enough



SUBSTANCE ABUSE TECHNICIAN (R455)

POSITION DESCRIPTION



Department: DWI (MATS)
Reports to: DWI Program Manager
Date Originated: April 2006

Grade: 10
Pay Status: FLSA Non-Exempt
EEOC Code: 5

POSITION SUMMARY

Under direction of the assigned supervisor provide will provide entry level clinical and administrative duties and functions associated with treating of substance abuse problems (drug and/or alcohol). Will assist clients and licensed counselors in providing a comprehensive detoxification and treatment programs at the Bernalillo County Metropolitan Assessment and Treatment Services (MATS) program.

MAJOR DUTIES AND RESPONSIBILITIES SUMMARY

1. Obtain information about clients through interview assessments and case history; assist in the evaluation of data to identify problems and assist in the determination of proper therapeutic approach.
2. Work in conjunction with staff to develop and schedule programs for the treatment and rehabilitation of clients.
3. Assist in the research and track the reliability and validity of treatment used; provide recommendations regarding modification of services and service delivery.
4. Process new clients, i.e., issuance of clothing, orientation to the rules of facilities or assist clients with daily activities, events and informational literature.
5. Maintain written log of behavioral incidents and observation of clients.
6. Prepare and maintain client files.
7. Prepare periodic and summary reports on the program as required.
8. Receive guidance and training from higher level staff within the division.
9. Transport clients to appointments and other service locations outside of MATS program.
10. Perform other job-related duties as assigned or required.

The above information on this job description has been designed to indicate the general nature and level of work performed by employees within this classification. It is not designed to contain or be interpreted as a comprehensive inventory of all duties and responsibilities required of all employees assigned to this job.

MINIMUM QUALIFICATIONS

1. Associate degree in Sociology, Psychology, Criminology or related field, plus four (4) years experience working in a clerical/administrative capacity with at least two (2) of those years working in an health care setting OR any combination of post-secondary education and/or experience totaling six (6) years working in a clerical/administrative capacity with at least two (2) of those years experience in an health care setting.
2. Licensure as an Alcohol and Substance Abuse Associate (LSAA) preferred.
3. Experience as a Certified Nursing Assistant (CNA) or Emergency Medical Technician (EMT) preferred.

4. Knowledge of alcohol and substance abuse theory and treatment; knowledge of a wide range of counseling and therapeutic programs, services and techniques; knowledge of crisis intervention techniques.
5. Must have knowledge of legal and ethical issues related to client rights.
6. Must have the ability to interact effectively and professionally with administration, subordinates and the general public.
7. Must have the ability to analyze situations in a rational, mature and confident manner and to remain calm under stressful situations.
8. Must be skilled in the use of computers to generate reports and maintain records.
9. Must possess excellent oral and written communication skills and the ability to write reports.

SCREENING AND COMPLIANCE

The offer of this Bernalillo County position requires compliance with the following:

1. Employee must successfully complete the post-offer employment medical examination.
2. Employee must possess and maintain a valid New Mexico driver's license.

WORKING CONDITIONS

1. Essential job duties are performed indoors in climate-controlled environment.
2. Primary work surface is even, dry, carpeted or tiled floor.
3. Works alone primarily, with or without directions. Works with a group at times and with a select team at times.

EQUIPMENT, TOOLS AND MATERIALS

1. Telephone, typewriter, calculator, computer, fax machine, and copy machine are used in performance of essential job duties.
2. Various forms of paperwork are handled in performance of essential job duties.

FUNCTIONAL ANALYSIS

(Please initial each item to indicate whether you are or are not capable of performing that function.)

****NOTE:** You are not required to disclose information about physical or mental limitations that you believe will not interfere with your capability to do the job. On the other hand, if you want the employer to consider special arrangements to accommodate a physical or mental impairment, you may identify that impairment in the space provided and suggest the kind of accommodation that you believe would be appropriate.

MENTAL FUNCTIONS

- | YES | NO | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Employee must be able to correctly judge situations and determine appropriate actions to be taken. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Must be able to write report and document in proper format, utilizing correct punctuation, spelling and grammar. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Must be able to listen to clients. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Must be able to understand written reports pertaining to clients, including academic, psychological or medical reports. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. Must be able to make good judgments and decisions affecting others. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Must be able to work and communicate effectively with different kinds of people, in a variety of situations. |

PHYSICAL FUNCTIONS

- | YES | NO | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1. Work is primarily sedentary, with opportunities to stand/walk as needed typically being available throughout the workday. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Must be able to bend at the waist and twist/rotate as necessary. |

- ☒ 3 Must be able to work with arms bent or extended away from body or overhead and be able to push/pull with arms as needed.
- ☒ 4 Must be able to lift and carry items such as paperwork and files.
- ☒ 5 Must be able to crouch and kneel as necessary.
- ☒ 6 Must be able to use hands and fingers in order to grasp/manipulate various equipment and materials needed to perform essential duties.
- ☒ 7 Must be able to coordinate use of hands and eyes in operation of equipment, such as computer and calculator.

EMPLOYEE DECLARATION:

I have read the above Position Specifications. I understand the demands and expectations of the position described and to the best of my knowledge, believe I can perform these duties.

Name: JAMIE DAVIS Date: 8/30/06

APPROVED: [Signature]
DEPARTMENT: [Signature]

Revised:

Outlook Testbox

From: Lisa M Johnson
Sent: Wednesday, July 23, 2008 11:42 AM
To: Dwight Dias
Subject: Does this need to be addressed?
Importance: High

Dwight-

Do we have a procedure policy as to other employees logging in on other people's profiles (usernames)? I received this message sent from someone opening Gabriel's email. I went into the Detox area to see who was logged on and Jamie was logged under Gabriel's username. I asked him what he was doing and he proceeded to tell me that he was trying to delete Gabriel's profile, later he came into the office telling me that Gabriel called him and asked him to check his Bernalillo email account. I don't think this is legal to do since Gabriel is not longer an employee under Bernalillo County, is what Jamie did legal to do? Should this be addressed?
Lisa M~

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From: Gabriel G. Ponce
Sent: Wednesday, July 23, 2008 11:28 AM
To: Lisa M. Johnson
Subject: Read: leave for 06.08.08
Importance: High

Your message

To: Gabriel G. Ponce
Subject: leave for 06.08.08
Sent: 6/2/2008 1:01 PM

was read on 7/23/2008 11:28 AM.



Outlook Testbox

From: Dwight Dias
Sent: Thursday, July 24, 2008 1:42 PM
To: Cecilia S. Baca
Subject: Fw: Please address.

----- Original Message -----

From: Lisa M. Johnson
To: Dwight Dias
Cc: Cecilia S. Baca
Sent: Thu Jul 24 12:03:10 2008
Subject: Please address.

Dwight-

I received a phone call from a (a client that was recently discharged from MATS). He was calling to speak with you because he wanted to put a complaint on Jamie D. He states that while he was here at MATS, his daughter called the facility and Jamie told his daughter that he was very sick/ill. He states that he never signed a confidentiality waiver form for any information to be released to his daughter. He is upset that Jamie would give out confidential information.

is requesting you call him back today before 4pm as he is being incarcerated today because he was d/c from MATS. The number he left is # . He said if you can't get a hold of him, he is requesting you talk with his wife - regarding this matter.

a M~

p.s. I copied Cecilia on this matter so that she is aware of what's going on here.

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Outlook Testbox

From: Carl Broach
Sent: Tuesday, November 03, 2009 9:12 AM
To: Cecilia S. Baca
Subject: RE: Spring Clinical Placement Request

I will be riding to MDC for a meeting with Dwight in about Twenty minutes. I will talk to him and see if we can sidebar John this Friday. Will let ya know what happens

From: Cecilia S. Baca
Sent: Tuesday, November 03, 2009 9:07 AM
To: Carl Broach
Subject: Re: Spring Clinical Placement Request

Nice. So any follow up on our conversation? I called mats and reminded jamie to not do any direct client care until further notice. Dwight I feel is overwhelmed like the rest of us and focused on motu, so I would like for him to just let me deal with it by reassigning him to do office work.

From: Carl Broach
To: Debra Brady
Cc: Dwight E. Dias; Cecilia S. Baca
Sent: Tue Nov 03 08:54:25 2009
Subject: RE: Spring Clinical Placement Request

Good Morning Dr. Brady,

We will be happy to accommodate the students and look forward to their arrival.

Carl

Carl Dallas Broach, LPCC
Clinical Manager
Department of Substance abuse Programs (DSAP)
Bernalillo County
(505) 468-1567 (office)
(505) 908-0431 (cell)

From: Debra Brady [mailto:dbrady@salud.unm.edu]
Sent: Monday, November 02, 2009 6:25 PM



5/19/2010

To: Carl Broach

Subject: Spring Clinical Placement Request

Dear Mr. Broach, This is to request a clinical placement of 8 UNM College of Nursing students at your facility on TW from 3/9-4/21/09. Let me know if you are able to accommodate my request. Thank you for your continued support of our program.

Debra P. Brady, Ph.D., R.N.
Associate Professor
Undergraduate Program Director
College of Nursing
MSC09 5350
1 University of New Mexico
Albuquerque, NM 87131-0001

dbrady@salud.unm.edu
Office 505-272-3996
Cell 505-934-4438
Fax 505-272-8901

5/19/2010

(Please Print Clearly)

CLIENT NAME: Jody Tucker

DATE & TIME: 12/17/09 @ 1000

TYPE OF INCIDENT	INFORMATION REPORTED BY	INCIDENT OUTCOME	MEDICATION LEFT BEHIND
<input checked="" type="checkbox"/> CLIENT <input type="checkbox"/> VISITOR <input checked="" type="checkbox"/> STAFF <input type="checkbox"/> PROPERTY	<input checked="" type="checkbox"/> CLIENT <input type="checkbox"/> VISITOR <input type="checkbox"/> STAFF <input type="checkbox"/> OTHER	<input type="checkbox"/> LAW ENFORCEMENT CALLED / INVOLVED <input type="checkbox"/> CLIENT DISCHARGED <input type="checkbox"/> HOSPITALIZATION <input type="checkbox"/> PROPERTY DAMAGE OR LOSS <input checked="" type="checkbox"/> NONE OR N/A	LIST: _____ QUANTITY: _____ _____ _____ _____ _____ _____ **ADD ADDITIONAL SHEET IF NEEDED**

LIST ALL PERSONS INVOLVED IN THE INCIDENT & BRIEFLY HOW THEY WERE INVOLVED (Active Participant, Passive Participant, Witness, Overheard by, etc....)	
STAFF PERSON:	CLIENT:
Jamie Dantis	Jody Tucker

INCIDENT NARRATIVE

WHAT WAS HAPPENING BEFORE WITNESSING OR HEARING OF THIS INCIDENT (CLEARLY DESCRIBE SETTING)

Ct Jody Tucker reported to writer that at approx 1000 am on 12/17/09 he saw staff member Jamie Dantis in SAC unit, where he was seen to be going through a wallet contained in a Clients backpack.

WHAT WAS DONE DURING THE INCIDENT TO MANAGE THE SITUATION (BE SPECIFIC - GIVE STEP BY STEP DETAIL)

Staff member wrote incident report to report matter to facility manager.

WHAT RESOLUTION WAS REACHED IN THIS INCIDENT (DESCRIBE REASONS FOR REACHING THIS DECISION)

See Above.

NAME OF PERSON COMPLETING THIS FORM:

Andrew Sidoli
LSAA

12/18/2009

PRINT

SIGN

DATE

DETOX MANAGER SIGNATURE: _____

EXHIBIT

425

Outlook Testbox

From: Dwight E. Dias
Sent: Thursday, December 17, 2009 4:25 PM
To: Andrew C. Sidoli
Subject: Re: Incident Report?

Yes always write a incident. I don't understand what is met by getting caught, staff should always know what is in SAC and Detox. All personal items should be in rooms and staff should go through preferably with another staff from time to time to keep the integrity of program.

From: Andrew C. Sidoli
To: Dwight E. Dias
Sent: Thu Dec 17 11:02:43 2009
Subject: Incident Report?

Hi Dwight,

I have just had a client at SAC report to me that earlier this AM they caught Jamie going through a SAC's client backpack. Jamie was in SAC behind the desk going through a wallet and when challenged replied that he was looking for ID. The client was very upset and states that he knows that Jamie is high today. Do you need me to write an incident report?

Andrew

Outlook Testbox

From:
Sent:
To:

Cecilia S. Baca
Monday, November 02, 2009 12:17 PM
Dwight E. Dias

D

Melanie disclosed that jamie and .(former sac client) were at some function together. Apparently john was there with them and he may not have known she was a client and that she had awolled from program that day and relapsed with another sac client. Apparently took pictures of them at this event and has them on her cell. Just a heads up.

